

Refugees and Forced Displacement: Challenges for the Military Planner.

**A Monograph
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Abstract

REFUGEES AND FORCED DISPLACEMENT: CHALLENGES FOR THE MILITARY PLANNER by MAJ Michael A. Gorreck, U.S. Army, 62 pages.

In 2009, conflict, violence and the fear of governmental persecution caused over forty-three million people worldwide, equivalent to the population of Canada, to leave their homes and seek safety elsewhere. Twenty-seven million displaced within their countries' borders. The remaining fifteen million were refugees. They crossed international borders and entered a new country in order to seek safety.

The conditions that produce refugees, inter and intra-state conflict, violence and persecution have always existed and will continue into the future. Events within the last twenty years have shown that humanitarian measures alone are seldom enough to stabilize the environment, end the violence and reverse the conditions that produce large numbers of refugees. Where wide spread conflict, violence and persecution exist, more severe interventions such as military action may be necessary to stop the violence.

For this reason, planners within the United States Department of Defense can expect to be involved with refugees. It is nothing new. Since the Second World War, American forces have assisted many groups: Hmong from Vietnam (1970s), Cuban asylum seekers (1980s), Haitian boat people (1990s), Iraqis after Desert Storm, and refugees from the Balkan conflicts (1990s). It should be obvious that American military officers, especially those in the military police and civil affairs field, should expect to help plan and administer such efforts in the future. Therefore, what are the critical factors planners should consider when directed to conduct operations in response to a refugee crisis?

The list of tasks and considerations is long. Often they cross physical, jurisdictional and intellectual boundaries. This monograph will focus on six of the most important considerations that affect refugee situations. They include the role of refugee law, specifically, the *Geneva Convention*, the *1951 United Nations Convention Relating to the Status of Refugees*, the *1967 Protocol Relating to the Status of Refugees*, and United States law. Planners must also understand the role of the United Nations High Commissioner for Refugees during refugee crisis. They must consider the role that the media has in influencing the public's opinion and foreign policy with regard to refugees and refugee crises. The next consideration is the long-term resolution of the refugee problem through repatriation, integration or resettlement programs. Planners also need to consider the physical and psychological effects of victimization on the refugees. Finally, the planner needs to understand the effect of refugees on the receiving nation in terms of fear, economic impacts and security.

This paper argues that these issues can be grouped into three broad areas when planning operations. These include institutional factors, international factors, and finally, psychological and social factors. The object of these considerations is to provide our forces with an effective, workable, concept of resolving refugee displacement. The goal for the military planner is to assist his, or her, commander in returning the affected region to a stable state as quickly as possible.

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Introduction

Rano Turdebayeva was one of several thousand Uzbeks caught up in the ethnic violence that erupted nationwide in April of 2010 after governmental opposition groups forced the President of Kyrgyzstan, Kurmanbek Bakiyev, into exile. With her four small children, she fled the violence in her hometown of Osh for safety across the border in Uzbekistan. She left behind a house that was nothing more than a smoking ruin, her friends, her family and her way of life. To make matters worse, she lost contact with her husband who remained behind in Kyrgyzstan. She had no way of knowing for sure if he was alive or dead. With every passing day she spent with her children in a refugee camp in Uzbekistan, she could not help but wonder if she would ever see her husband again, if her family would ever be together again, and if her life would ever be normal again.¹

Rano's story is just one of many. In all, over ninety thousand people fled the ethnic violence in Kyrgyzstan for hastily constructed refugee camps in Uzbekistan. Between April and June of 2010, ethnic clashes between Kyrgyzs and Uzbeks created a refugee crisis that spilled over the border into neighboring Uzbekistan. In all, the violence carried out by gangs of Kyrgyzs and the Kyrgyz dominated police forces, displaced some four hundred thousand people.² Many fled for safer areas within Kyrgyzstan. However, most of the Uzbeks living within Kyrgyzstan, who were the minority, chose to cross the border and seek safety in Uzbekistan.³ Like Rano, they settled into refugee camps in the provinces of Andijan, Fergana and Namangan close to the border. There they lived in refugee camps run by the Uzbekistan Government, received assistance

¹ Andrew E. Kramer and Matthew Saltmarsh, "Return of Refugees to Kyrgyzstan Disrupts Relief Effort," *The New York Times*, June 28, 2010.

² Dmitry Solovyov, "U.N. says 400,000 Kyrgyz refugees," *Reuters*, June 17, 2010.

³ The majority, over thirty-four percent, of the population in Kyrgyzstan are ethnic Kyrgys. Ethnic Uzbeks represent just thirteen percent of the population of Kyrgyzstan. Source CIA Factbook; <https://www.cia.gov/library/publications/the-world-factbook/geos/kg.html>.

from the United Nations High Commissioner for Refugees and eventually, voluntarily returned home to Kyrgyzstan.⁴

In Osh, Rano's hometown and the second largest city in Kyrgyzstan, parts were in ruin. Several news agencies reported dead bodies lining the streets, many charred from fires that were deliberately set.⁵ Uzbeks fleeing Kyrgyzstan reported armed gunmen in masks firing indiscriminately into crowds of Uzbeks and burning their homes.⁶ There were numerous reports of torture at the hands of the police, a predominately Kyrgyz populated force, as well as reports of sexual abuse.⁷ The validity of these reports and the exact numbers are still suspect, however, there is little doubt that the Uzbeks believed them, chose to flee in large numbers, thereby creating a refugee crisis. It was significant enough that on June 15, 2010, the Uzbekistan Government closed its border. Roughly fifteen thousand refugees were now trapped, unable to reach the safety of the camps and unwilling to return to their homes.⁸

By late June, it appeared that the violence in Kyrgyzstan had abated and both governments encouraged the refugees to return home. Their return coincided with a special constitutional referendum on June 27, 2010.⁹ Both governments pressured refugees into voluntarily returning. Kyrgyz officials told Rano, when they visited her camp, "If you don't

⁴ The United Nations Refugee Agency, "Final Report on the UNHCR Emergency Operations in the Republic of Uzbekistan," <http://www.unhcr.org/4c51717a6.html> (accessed August 4, 2010).

⁵ Tony Halpin, "Uzbekistan closes borders to refugees," *The Times*, June 15, 2010.

⁶ Alexei Anishchuk, "U.N. urges Kyrgyzstan to stamp out ethnic bloodletting," *Reuters*, June 15, 2010.

⁷ The United Nations Refugee Agency, "Final Report on the UNHCR Emergency Operations in the Republic of Uzbekistan."

⁸ Tony Halpin, "Uzbekistan closes borders to refugees."

⁹ On June 27 June, 2010, Kyrgyzstan voted in favor of several constitutional changes. The most significant change they voted in favor of was changing to a parliamentary system of government which radically changed their constitution.

return before the referendum you will be a refugee forever.”¹⁰ What is more, Uzbekistan also seemed to reinforce this same idea. Rano said that Uzbek officials told her the government of Kyrgyzstan would not allow her and her children to return if she attempted to cross the border after the referendum date. Their threats worked and Rano decided to make her way back to Osh in time to vote on the referendum. With her home destroyed, she and her small children moved into a tiny boiler room in the basement of a burned out school.¹¹ Life was still difficult; she still had no information as to the whereabouts of her husband, and her few provisions were running out. Her life would never be the same again.

Rano’s situation, of course, is not unique. In 2009, conflict and the fear of persecution caused over forty-three million people worldwide, equivalent to the population of Canada, to leave their homes and seek safety elsewhere.¹² This staggering statistic is only what researchers in the United Nations were able to identify in countries that allowed them access. More than half of these refugees, twenty-seven million, were forced to displace within their borders. The remaining fifteen million were refugees who escaped to other states.¹³ They chose to risk becoming refugees because of ethnic violence or governmental persecution.¹⁴

Inter and intra-state conflict has always existed and will continue into the future. The scope and scale of human suffering that will result from these conflicts is likely to be extensive and the likelihood of future refugee crises is high. Events within the last twenty years have shown

¹⁰ Andrew E. Kramer and Matthew Saltmarsh, “Return of Refugees to Kyrgyzstan Disrupts Relief Effort.”

¹¹ Andrew E. Kramer and Matthew Saltmarsh, “Return of Refugees to Kyrgyzstan Disrupts Relief Effort.”

¹² The United Nations Refugee Agency, “2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons,” <http://www.unhcr.org/4c11f0be9.html> (accessed August 4, 2010).

¹³ In accordance with the 1951 Convention Relating to the Status of Refugees, a refugee is any person for fear of persecution crosses the border from their country into another in order to seek safety. This will be discussed in greater detail in Section II of this paper.

¹⁴ The United Nations Refugee Agency, “2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons.”

that humanitarian measures alone are seldom enough to deal with the problems resulting from displacement. Where wide spread conflict has broken out, more severe interventions such as military action may be necessary to stop the violence.¹⁵

The *United States National Security Strategy* acknowledges the likelihood of local and regional conflicts and their affects on populations worldwide. These conflicts are a serious and immediate problem to regional stability, our allies and national interests.¹⁶ The United States is one of five permanent members of the United Nations Security Council, and the largest contributing state to the United Nations budget. It also continues to play a key role in NATO and is the largest contributing country to NATO's International Security Assistance Force mission in Afghanistan. Together, these commitments highlight that the United States has the diplomatic, military and economic requirements to become involved in any future conflict. More importantly, as the past twenty years have shown, the United States has made the choice to become involved and applied its means to resolve conflicts, establish stability, security, and provide aid.

Planners in the United States Department of Defense can expect to be involved with refugees. It is nothing new. Since the Second World War, American forces have assisted many groups: Hmong from Vietnam (1970s), Cuban asylum seekers (1980s), Haitian boat people (1990s), Iraqis after Desert Storm, and refugees from the Balkan conflicts (1990s). It should be obvious that American military officers, especially those in the military police and civil affairs field, should expect to help plan and administer such efforts in the future. Therefore, what are the critical factors planners should consider when directed to conduct operations in response to a refugee crisis?

¹⁵ Gil Loesher, "Refugees as grounds for international action, in *Refugees and Forced Displacement: International Security*," in *Human Vulnerability, and the State*, ed. Edward Newman and Joanne van Selm (New York: United Nations University Press, 2003), 32.

¹⁶ U.S. President. *National Security Strategy*. 2010, 8.

The list of tasks and considerations is long. Often they cross physical, jurisdictional and intellectual boundaries. An all-inclusive list of all of the factors that affect refugee situations would be extensive and is not the intent of this paper. Some of these considerations would be the domestic politics of the receiving nation, available funding for refugee related programs, religious differences between the refugee population and the host population, cultural differences, ethnic differences, available land for refugee camps or resettlement locations, security for the camps, and many others. This paper will focus on six of the most important considerations that affect refugee situations. These include the role of refugee law, specifically, the *Geneva Convention*, the *1951 United Nations Convention Relating to the Status of Refugees*, the *1967 Protocol Relating to the Status of Refugees*, and United States law. These considerations also include the influence of the United Nations High Commissioner for Refugees, the role that the media has in influencing the public's opinion and foreign policy with regard to refugees and refugee crises, and consideration of long-term resolution of the refugee problem through repatriation, integration or resettlement programs. Planners also need to consider the effects of victimization on the refugees and the effect of refugees on the receiving nation in terms of fear, economic impacts and security.

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Institutional factors

As the Laotian Communists established their People's Republic in December 1975, thousands of Hmong tribesmen looked for ways to get out of the country. For over a decade, they had fought for the United States government against the Pathet Lao and its North Vietnamese sponsors. Throughout the period of American combat in Vietnam, these capable warriors raided

the Ho Chi Minh trail and added another obstacle to the communists' efforts to reunite Indochina. With the American evacuation of Saigon, the Hmong found themselves abandoned and helpless. Because of domestic politics, the American government could not help their former protégées. Seeking to avoid the retribution they knew was coming, the tribesmen and their families headed for Thailand. Over the years, the United Nations worked with Thai officials to find homes within the country and in other parts of the world such as the United States, Australia, France and Canada. Recently, the Thai government grew uneasy with the remaining one hundred thousand refugees within their borders.¹⁷ The Thai government was especially concerned that the Hmongs would become a security threat. Therefore, in December of 2009, over the protestation of the United Nations, Thai military forces rounded up four thousand Hmong refugees and forcibly sent them back to Laos.¹⁸

This case demonstrates the effect of the two key institutional factors in refugee situations: refugee law and the role of the United Nations. Several internationally recognized legal documents prescribe specific protections and rights for refugees. Additionally, many nations have domestic laws that pertain to refugees who seek refuge within their borders. The United Nations has the responsibility of ensuring compliance with the provisions outlined in the international laws regarding refugees. Their lead agency that deals directly with refugee situations and executes this mission is the United Nations High Commissioner for Refugees. This organization has existed for more than sixty years and been involved with refugees all over the world. They will be involved with refugee populations in the future, the countries that host them and various aid organizations that interact with refugees.

¹⁷ Martin Stuart-Fox, "Lao Communist Revolution," in *Revolutionary Movements in World History: From 1750 to the Present*, ed. Martin Stuart-Fox and James V. DeFronzo (Santa-Barabara, CA: ABC-CLIO, 2006), 2:532-534.

¹⁸ Seth Mydans, "Thailand Evicts 4,000 Hmong to Laos," *The New York Times*, December 28, 2009, under "Hmong refugees evicted," <http://www.nytimes.com/2009/12/29/world/asia/29hmong.html> (accessed August 10, 2010).

Refugee Law

There are two basic groups of refugee law: international and domestic. The primary international law pertaining to refugees is the *Fourth Geneva Convention*.¹⁹ Its main focus is to protect civilians, caught in the middle of armed conflict, as well as refugees spawned from these conflicts. The second set of international laws is the *1951 Convention Relating to the Status of Refugees* and the *1967 Protocol Relating to the Status of Refugees*.²⁰ These documents describe the rights and protections specifically afforded to refugees. Finally, there is domestic law. In the case of the United States, three United States Codes pertain to refugees.²¹ These codes adopted many of the same definitions and protections from international refugee law. Military planners must understand the international and domestic laws that pertain to refugees. A thorough legal review of these documents is crucial to understanding their applicability to the refugees the military interacts with and the location in which the military operation takes place. Any plan that is developed must support the refugees' legal rights and protections.

The Second World War exposed the need for an international treaty to address the protection of civilians during armed conflict. The war resulted in tens of millions of refugees. Many left their homes to get away from the fighting, to seek safety, moved around within their country or crossed international borders. For instance, when the German army invaded Russia in 1941, an estimated twenty-five million fled and became refugees. Similarly, when Japan invaded China in 1937, they displaced over twelve million Chinese citizens.²² The atrocities of the war,

¹⁹ "Geneva Convention Relative to the Protection of Civilian Persons in Time of War," August 12, 1949, *United Nations Treaty Series* 287.

²⁰ "Convention Relating to the Status of Refugees," July 28, 1951, *United Nations, Treaty Series* 189. "Protocol Relating to the Status of Refugees," January 30, 1967, *United Nations, Treaty Series* 606.

²¹ The U.S. Codes are the *U.S. Refugee Act of 1980*, the *Immigration and Naturalization Act* and the *Migration and Refugee Assistance Act of 1962*.

²² Margaret E. Wagner, Linda Barrett, Susan Reyburn, *The Library of Congress World War II Companion*, ed. David W. Kennedy (New York: Simon and Schuster, 2007), 38, 39, 891.

such as mass expulsions, exterminations and millions of people living as refugees, created the need for an international legal document to protect civilians and refugees in time of war. This resulted in one of the international legal documents that deal with refugees, the Fourth Geneva Convention.²³

The Geneva Conventions are a series of international agreements comprised of rules that govern armed conflict. These rules are designed to protect people not directly involved in the fighting, such as the wounded, prisoners of war and civilians. The fourth convention, adopted in 1949, addresses the status, protection and treatment of protected persons during inter and intra-state conflict.²⁴ It defines a protected person as someone “who, at a given moment and in any manner whatsoever, finds themselves, in case of a conflict or occupation, in the hands of a party to the conflict or occupying power of which they are not nationals.”²⁵

With the exception of one article, the *Fourth Geneva Convention* does not mention refugees. However, the protections outlined in this treaty apply to a wide range of protected persons caught up in conflict, of which refugees are one. It addresses refugees in Article forty-four, which stipulates that refugees are not to be considered enemy aliens based on their nationality.²⁶ They enjoy the protections afforded other protected persons.²⁷ The convention also

²³There are three other Geneva Conventions. The first, *Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field*, was first adopted in 1864 and subsequently updated in 1949. The second is the *Geneva Convention for the amelioration of the condition of the wounded, sick and shipwrecked members of the armed forces at sea*. It was adopted in 1906 and updated in 1929 and 1949. The third, *Geneva Convention relative to the treatment of prisoners of war*, was adopted in 1929 and updated in 1949.

²⁴ The United States became a party to the Fourth Geneva Convention in 1949 as did over one hundred other countries. A detailed list of the countries which are a party to the convention can be viewed at the United Nation Treaty Collection; <http://treaties.un.org/pages/UNTSONline.aspx?id=1>.

²⁵ “Geneva Convention Relative to the Protection of Civilian Persons in Time of War.” August 12, 1949, *United Nations Treaty Series* 287, art. 4.

²⁶ “Geneva Convention Relative to the Protection of Civilian Persons in Time of War.” August 12, 1949, *United Nations Treaty Series* 287, art. 44.

²⁷ “Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I),” June 8, 1977, *United Nations Treaty Series* 1125, art. 73.

addresses a refugee's right of access to aid organizations such as the Red Cross, Red Crescent, United Nations or private aid organization.²⁸ However, access is contingent upon the permissibility of the environment. Not every environment is stable or secure enough to allow aid organizations to roam freely. A military force, operating in the same environment, is expected to offer guidance as to where and when aid organizations can operate independently.²⁹

The convention also protects people from acts that cause them to be refugees, prohibiting mass forced transfers and deportations of those people caught in a war zone.³⁰ This was in direct response to the forced migration of millions of people during the Second World War. The *Geneva Convention* outlawed mass expulsions such as what the Germany army did after it invaded Poland in 1939. During the German occupation of Poland, the military forced approximately three million poles from their homes, interned them in camps and forced thousands into labor camps.³¹

The Geneva Convention outlawed the sorts of acts the Third Reich and Imperialist Japan carried out against portions of the population that fell under their control during the war. The treaty also addresses the civilian population's return to their homes once the conflict is over. This was another response to the displacement of millions of people during the Second World War. Their return is contingent upon the relative security and safety levels of the environment. Countries that are party to the convention are required to assist in their speedy return once security has improved.³²

²⁸ "Geneva Convention Relative to the Protection of Civilian Persons in Time of War," August 12, 1949, *United Nations Treaty Series* 287, art. 33.

²⁹ "Geneva Convention Relative to the Protection of Civilian Persons in Time of War," August 12, 1949, *United Nations Treaty Series* 287, art. 30.

³⁰ "Geneva Convention Relative to the Protection of Civilian Persons in Time of War," August 12, 1949, *United Nations Treaty Series* 287, art. 45.

³¹ Pawel Lutomski, "The Polish Expulsion of the German Population in the Aftermath of World War II," in *Population Resettlement in International Conflicts* ed. Arie M. Kacowicz and Pawel Lutomski (United Kingdom: Lexington Books, 2007), 101.

³² "Geneva Convention Relative to the Protection of Civilian Persons in Time of War," August 12, 1949, *United Nations Treaty Series* 287, art. 74.

A second international legal document that describes protections and rights afforded to refugees is the *1951 Convention Relating to the Status of Refugees*. In 1951, the United Nations met to draft the document that would eventually establish a series of basic rights for the refugee. The overall purpose of this document was to protect the refugee worldwide, regardless of sex, religion, or nationality. It codified the basic rights of refugees in forty-six different articles. It established minimum standards of care and treatment for refugees that signing countries were obliged to provide, and it served as a checklist the United Nations could use to hold countries accountable. The convention, however, had one major flaw. It defined a refugee as an individual displaced as a “result of the events occurring before the first of January 1951.”³³ In this regard, refugees that resulted from circumstances after 1951 were not afforded the protections outlined in the convention.

The original drafters may have envisioned an end to conflict with the end of the Second World War. It quickly became apparent that conflict and refugees did not diminish over time. Two years after the end of the Second World War, India gained its independence from the United Kingdom and part of the country was partitioned to become the new Muslim state of Pakistan. Tensions between Hindus and Muslims peaked during this time and led to violent conflict. An estimated eight million refugees fled India, or were forcibly expelled, and wound up in Pakistan.³⁴ In the Middle East, the British Mandate of Palestine ended in May of 1948. It resulted in the first Arab-Israeli conflict. During the conflict, between five hundred and seven hundred and fifty thousand Palestinians fled the fighting, or were forced from their homes, and became refugees.³⁵

³³ “*Convention Relating to the Status of Refugees*,” July 28, 1951, *United Nations, Treaty Series* 189, art. 1.

³⁴ Shuja Nawaz, *Crossed Swords: Pakistan, Its Army, and the Wars Within* (New York: Oxford University Press, 2008), 22.

³⁵ Alexander B. Downes, *Targeting Civilians in War* (New York: Cornell University Press, 2008), 185.

In an effort to address the continuing refugee problem, the United Nations devised a new provision, sanctioning a group of legal experts to review the convention and make recommendations. This group recommended a draft protocol, as opposed to a whole scale revision, that modified the definition of a refugee.³⁶ The United Nations adopted their proposal to expand the definition to include any individual displaced irrespective of the 1 January 1951 date.³⁷ They codified this change in the *1967 Protocol Relating to the Status of Refugees*. Together, the convention and protocol serve as the principal international legal documents designed for the protection of refugees.

The forty-six articles of the 1951 Convention address the rights and protections of refugees. Individual countries that are a party to the 1951 Convention and 1967 Protocol may submit reservations toward specific aspects of the articles. However, there are several protected and non-negotiable items that all signing countries must abide to. These represent the fundamental rights of all refugees regardless of race, religion, or country of origin. These include the definition of a refugee. According to this article, a refugee is anyone who, owing to a well-founded fear of persecution for reasons of race, religion, political or social affiliation, seeks asylum outside the country of their former residence. Furthermore, the refugee is unwilling or unable to return for fear of retribution.³⁸ Article three demands that no refugee should be discriminated against because of their race, religion or country of origin. The next establishes the freedom of refugees to practice their religion of choice and to educate their children in this religion. All refugees shall have access to the courts of law for the territory they seek refuge in,

³⁶ Guy S. Goodwin-Gil, "Convention Relating to the Status of Refugees - Protocol Relating to the Status of Refugees," United Nations Audiovisual Library of International Law; <http://untreaty.un.org/cod/avl/ha/prsr/prsr.html> (accessed July 21, 2010).

³⁷ "Protocol Relating to the Status of Refugees," January 30, 1967, *United Nations, Treaty Series* 606, art 1.

³⁸ "Convention Relating to the Status of Refugees," July 28, 1951, *United Nations, Treaty Series* 189, art. 1.

according to article sixteen. They are to receive the same treatment afforded nationals of the country they reside in. The final protected article is thirty-three: prohibition of expulsion or return, protects refugees from being returned to the country where the refugee has a well-founded fear of persecution.³⁹

The United States of America is a party to the *Fourth Geneva Convention*, as well as the *1967 Protocol Relating to the Status of Refugees*. By recognizing these international laws, the United States promises to uphold its interpretation of the provisions within them. In addition to recognizing these international laws, the Congress developed domestic legislation pertaining to refugees. They are codified in three United States Codes: the *1980 Refugee Act*, the *Immigration and Nationality Act*, and the *Migration and Refugee Assistance Act of 1962*.

The *1980 Refugee Act* applies to displaced persons who present themselves at America's borders. It marked a move to bring U.S. domestic law into accord with international refugee law by adopting the internationally recognized refugee definition and a standard process to adjudicate asylum cases. The act passed in order to end the ad hoc admissions of Indochinese refugees following the Vietnam War.⁴⁰ It reformed prior immigration law to allow for the systematic acceptance of refugees on humanitarian grounds. It also set annual ceilings for the number of refugees that the United States would receive. It allows for the rejection of a refugee at the border. In the case of refugees intercepted at sea, the United States can return them to their country of origin.⁴¹

The second domestic law relating to refugees is the Immigration and Nationality Act of 1952. Also known as the McCarran-Walter Act, it eliminated all race-based immigration quotas

³⁹ “*Convention Relating to the Status of Refugees*,” July 28, 1951, *United Nations, Treaty Series* 189, art. 33.

⁴⁰ Harvey Gee, *The Refugee Burden: A Closer Look at the Refugee Act of 1980*, abstract, *North Carolina Journal of International Law and Commercial Regulation*, (2000): 26.

⁴¹ *Refugee Act of 1980 Amendment*, Public Law 96-212, *U.S. Code* (1980).

and replaced them with nationally-based quotas. The act also established the Office of Refugee Resettlement within the Department of Health and Human Services. This office assists refugees to resettle within the United States. It also assists U.S. citizens, living abroad, that are forced to leave their homes as a result of war, conflict, or violence and repatriate to America.⁴²

The third law relating to refugees is the Migration and Refugee Assistance Act of 1962. It was passed in order to deal with the urgent needs of victims of conflict, displaced families and refugees anywhere in the world. This act grants special executive powers, which allows the President to deem the protection of a group of refugees important to national interests. This allows for special funding to aid programs and assistance to the refugee population.⁴³

Role of the United Nations

The second key institutional factor that affects the resolution of displaced persons is the United Nations High Commissioner for Refugees. It is the leading organization responsible for ensuring adherence to international refugee law. It works with the governments of countries where refugees seek safety, in order to provide immediate aid and work toward a long-term solution. It also coordinates with the government of a refugee's homeland to establish programs for their return. This organization has been in existence for more than sixty years and has been involved with refugees all over the world. Military planners must understand the United Nations High Commissioner for Refugees' mission, what they can do for refugee populations and their limitations. A coordinated effort between the military, United Nations and supporting aid organizations will be critical to ensuring a quick resolution to future refugee situations.

Refugees were high on the agenda of the first session of the United Nations General Assembly in 1946. The Second World War had ended and over forty million people were living

⁴² *Immigration and Nationality Act of 1952*, Public Law 411-474, *U.S. Code* (1952).

⁴³ *Migration and Assistance Act of 1962*, Public Law 87-510, *U.S. Code* (1962).

as refugees.⁴⁴ In order to resolve the refugee problems, the United Nations created the International Refugee Organization. It was created to help displaced persons integration into the society and country where they sought refuge, resettle them to another country, or repatriate them to their country of origin. This task proved a very costly endeavor, the organization began to devise alternatives, and instituted a new set of guidelines for the status and treatment of refugees that would serve as a standard for countries to adhere to and a series of provisions that the new organization could oversee. These decisions resulted in the 1951 Convention Relating to the Status of Refugees and the organization responsible for adherence to these provisions, the United Nations High Commissioner for Refugees.⁴⁵

The primary responsibilities of the United Nations High Commissioner for Refugees are to provide “international protection” of refugees and seek “permanent solutions for the problems of refugees.”⁴⁶ The ‘permanent’ solutions are repatriation to the refugee’s country of origin, integration into the society and country where the refugee sought safety, or resettlement to another country. The organization needs approval from the host country in order to access refugee camps and work with the refugee population. In the case of the Hmong, the Thai government ran the camps and simply refused the United Nations’ request to visit the camps and investigate the refugees’ conditions. Thailand, not being a signator of the 1951 Convention, was under no obligation to comply, despite a long-standing working relationship with the United Nations⁴⁷

⁴⁴ Margaret E. Wagner, Linda Barrett, Susan Reyburn, *The Library of Congress World War II Companion*, ed. David W. Kennedy (New York: Simon and Schuster, 2007), 38, 39, 891.

⁴⁵ Guy S. Goodwin-Gil, “Convention Relating to the Status of Refugees - Protocol Relating to the Status of Refugees.”

⁴⁶ “Statute of the Office of the United Nations High Commissioner for Refugees,” December 14, 1950, *United Nations Treaty Series* 428, chap. 1.

⁴⁷ There are one 144 countries that are a party to the 1951 Convention and 1967 Protocol Relating to the Status of Refugees. The United Nations High Commissioner for Refugees maintains a list of the party states. To access the list go to; [http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3b73b0d63&query=parties to 1951 convention](http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3b73b0d63&query=parties%20to%201951%20convention).

The United Nations cannot run a refugee camp alone, provide all of the necessary aid, resources and services for the refugee population. They need support from numerous governmental, international and private organizations that provide aid and resources to refugees. They may also need assistance from the host nation's military. Military forces provide the security necessary for the United Nations and various aid organizations to move and operate. The military also has a tremendous amount of resources such as aircraft, vehicles, water purification, and engineering assets that far exceed the United Nations' resources. Finally, most militaries, like the United States military, have more experience coordinating and synchronizing large operations than United Nations personnel. This was the case in 1991 during Operation Provide Comfort, which provides an excellent example of the working relationship between the military and the United Nations High Commissioner for Refugees during a refugee crisis.

Iraq experienced two insurrections immediately following Desert Storm. The first was in southern Iraq amongst the Shiite dominated population. The second was in the North when in March 1991, the Kurdish population rebelled and took control of the cities of Sulaymaniyah, Halabjah, Erbil, Dahuk and Kirkuk. The Iraqi government immediately focused on quelling the riots in the South. Once the riots were subdued, the Iraqi military turned its focus to the North. By the end of March, several Republican Guard units moved north in order to regain the areas lost to the Kurds. The Kurds initially tried to defend the cities but the more maneuverable Republican Guards forces, with tanks and other heavy equipment, proved to be too much for their defenses.⁴⁸ The Iraqi army also employed helicopter gunships. Indiscriminate machine gun and rocket fire proved very effective at suppressing the revolt and forced a mass exodus of the Kurdish population.⁴⁹

⁴⁸ Robert C. Diprizio, *U.S. Interventions from Northern Iraq to Kosovo: Armed Humanitarians* (Baltimore, MD: The John Hopkins University Press, 2002), 23-24.

⁴⁹ Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort* (Washington, DC: Center of Military History, 2004), 30.

The fighting resulted in more than one million refugees.⁵⁰ They fled, with whatever they could carry, north into the mountains that form the Iraq-Turkish border. The Turkish government allowed them to cross the border, although they did not let them very far into the country. The government confined the refugees to hastily constructed camps located in the mountains. The Turkish military and the Turkish Red Crescent Society were the earliest organizations to provide aid to the refugees.⁵¹ The United States government closely monitored the insurrections in Iraq, as well as the Iraqi government's response. On April 6, 1991, the United States European Command, at the direction of the President, initiated relief operations for the Kurdish refugees. Operation Provide Comfort included Army, Air Force, and Marine, as well as British, French, Australian, Dutch and Turkish forces. Their mission was to stop the refugees' suffering, relocate them to temporary camps in northern Iraq and, finally, return them to their original homes.⁵²

More than forty different aid organizations supported the relief efforts in northern Iraq between April and July 1991. These included one of the organizations that operated there, and eventually took control of all relief operations, was the United Nations High Commissioner for Refugees. Many of the military officers assumed that, once the United Nations personnel arrived, they would immediately take over the relief efforts. This was not the case. The quality and expertise levels of the United Nations personnel varied. Most were intelligent and hard-working individuals, though many lacked the training and experience needed in northern Iraq at the time. Very few had any experience dealing with military organizations, military operations or procedures. Some were actual United Nations employees and others were volunteers. Many

⁵⁰ Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort*, 31.

⁵¹ Robert C. Diprizio, *U.S. Interventions from Northern Iraq to Kosovo: Armed Humanitarians*, 24.

⁵² Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort*, 36-49.

others were temporary employees who worked for various non-governmental aid organizations.⁵³ These factors necessitated a slow and deliberate transfer of control from the military to the United Nations for all relief operations in northern Iraq.

This transition of responsibility for relief operations took time. For the first three months of the operation, the Combine Task Force-Provide Comfort, brought in and then distributed all of the relief supplies.⁵⁴ They had the equipment and personnel to coordinate and then synchronize the massive effort. However, the costs of these military operations were high and not sustainable. The task force staff established a timeline to return the refugees to their original home in Iraq and transfer authority to the United Nations. Before the transfer could occur, they had to create the positive conditions that supported a successful transfer.⁵⁵ Working relationships had to be developed between military personnel, United Nations personnel and the numerous organizations providing aid and assistance to the refugees. Additionally, United Nations personnel had to be acquainted with all of the ongoing relief and aid operations. The Civil Military Operations Center, as the focal point for the coordination of the military and civilian efforts, served these purposes. It also enabled the United Nations personnel to take on greater leadership roles as the military started to redeploy.⁵⁶ The gradual transition from military to United Nations control took three months. Finally, on June 7, 1991, the United Nations High Commissioner for Refugees assumed control of all relief operations in northern Iraq. By this time, the majority of refugees returned to their homes. Approximately fourteen thousand remained in two camps inside of Turkey in the towns of Silopi and Zakho.⁵⁷

⁵³ Gordon W. Rudd, *Humanitarian Intervention: Assisting the Iraqi Kurds in Operation Provide Comfort*, 100.

⁵⁴ *Ibid.*, 239.

⁵⁵ *Ibid.*, 101.

⁵⁶ *Ibid.*, 236.

⁵⁷ John T. Fishel, *Civil Military Operations in the New World* (West Port, CT: Praeger Publishers, 1997), 186.

During the 1990s, most notably in Bosnia and Rwanda, widespread human rights abuses reached a height not seen since the Second World War and displaced hundreds of thousands of people. In Rwanda, millions fled the violence that erupted in 1994 and resulted in the massacre of over eight hundred thousand Tutsis.⁵⁸ Additionally, in Bosnia, ethnic conflict forced somewhere between nine hundred thousand and one million people to flee to safety in other countries. As many as one million were displaced within Bosnia and over two hundred thousand died, were injured or went missing.⁵⁹ These cases display how a humanitarian intervention mission does not always meet the requirements of stabilizing the environment, stopping the conflict, and ending human rights abuses. Where wide spread conflict causes human rights abuses, more severe forms of intervention may be necessary to establish a stable environment.⁶⁰ These cases also illustrate the likelihood of military involvement in conflicts, like those in Bosnia and Rwanda that can produce an incredibly high number of refugees and where the efforts of organizations such as the United Nations High Commissioner for Refugees alone, will not be enough.

The mission of the United Nations High Commissioner for Refugees and refugee crisis are complex. The mass movement of people across borders because of conflict internationalizes the problem. In countries where they seek refuge, refugees are becoming associated with instability and threats to national security.⁶¹ In most cases, staying within the borders of their homeland, where the conflict is ongoing, is equally troublesome. The challenge for the United Nations has been to link the task of refugee protection to a broader defense of human rights. If

⁵⁸ Genevieve Asselin, Kristine St-Pierre and David Carment, "Rawanda 1990-1994," in *Civil Wars of the World: Major Conflicts since World War II*, vol 2, ed. Karl DeRouen Jr. and Uk Heo (California: ABC CLIO, 2007), 655.

⁵⁹ Steven L. Burg and Paul S. Shoup, *The War in Bosnia Herzegovian: Ethnic Conflict and International Intervention* (New York, NY: M.E. Sharpe Inc., 2000), 169, 171.

⁶⁰ Gil Loesher, "Refugees as grounds for international action," 31.

⁶¹ *UNHCR at 50: What Future for Refugee Protection?*, in the Human Rights Watch Publications, <http://www.hrw.org/en/reports/2000/12/12/50-years-what-future-refugee-protection> (accessed November 5, 2010), 6-7.

Bosnia and Rwanda taught anything, it taught that humanitarian measures alone are seldom enough to effectively deal with unstable environments, conflict, human rights abuses and the outpouring of refugees.⁶²

In 2001, the United Nations, under the leadership of Kofi Annan, began to espouse a ‘responsibility to protect’ concept. The premise was that nations that enjoy state sovereignty have a responsibility to protect their citizens. During the 1990s, the United Nations was criticized extensively for failing to act forcefully enough and put an end to the violence in places like Bosnia and Rwanda, where many thousands died and thousands more were displaced.⁶³ This was part of a larger effort by the United Nations to establish legitimacy for more severe forms of intervention. When a state is unable to provide protection for its people, they are expected to ask and allow for international assistance. If the country refuses international assistance, or fails to request assistance, based on the responsibility to protect, there is an international responsibility to act. The state that fails to protect the people within its borders stands to have the international recognition of its sovereignty suspended by the United Nations. In this way, it reinforces the legitimacy of intervention against the state’s will.⁶⁴

So what does this mean for the military planner? There is an increased likelihood military forces will deploy to conflict areas where human rights abuses are ongoing, creating a massive outpouring of refugees. The past twenty years have proven that humanitarian intervention alone, in most cases, is ineffective at creating a safe, secure and violent free environment. More severe forms of intervention, with military force, are required. Despite the requirement for military force, private, international, and other governmental organizations will continue to be involved in these situations. They will continue to operate amongst the military and the military planner must

⁶² Gil Loesher, “Refugees as grounds for international action,” 31.

⁶³ Thomas G. Weiss, *Humanitarian Intervention: Ideas in Action* (United Kingdom: Polity Press, 2007), 89.

⁶⁴ Thomas G. Weiss, *Humanitarian Intervention: Ideas in Action*, 88 and 98.

recognize this, and to the extent possible, incorporate them into operations that protect, care for and administer to refugees.

Implications for the military planner

The first key institutional factor that affects displaced persons is refugee law. There are three primary international documents that outline the rights and protections afforded refugees: the *Fourth Geneva Convention*, and *1951 Convention Relating to the Status of Refugees*, and its 1967 Protocol. Additionally, there are domestic laws that differ from nation to nation. In the case of the United States, three United States Codes pertain to refugees. These documents grant specific rights and protections to refugees wherever they may be. Military planners must be familiar with the applicability of these laws to any operation that deals with refugee populations. Judge Advocate General officers will be critical during both the planning and execution phases of the operation. They can provide the necessary analysis of international and domestic refugee law to ensure the provisions outlined in these documents are sufficiently understood, integrated into plans and complied with. Planners must draft effective and clearly communicated plans for refugee operations that account for refugee rights and protections pursuant to the applicable laws.

The U.S. Department of Defense uses a definition similar to the United Nations' to define a refugee. The definition has three key components. First, a refugee is any person who has a well-founded fear of persecution for reasons of race, religion, nationality, social group, or political affiliation. Second, the person is outside their home nation. Finally, the refugee does not enjoy protection from his or her own nation because it is unable to provide it, or the refugee is unable to go there for fear persecution. It makes the distinction that "harsh conditions, general strife, or adverse economic conditions" are not considered persecution.⁶⁵ Persecution results from

⁶⁵ U.S. Army, *Operational Law Handbook*, The Judge Advocate General's Legal Center and School (Charlottesville, VA: 2008), 68.

mistreatment based on one's religion, nationality or political affiliation. This definition applies to any refugee regardless of where the military force is operating, to include on land or at sea. The military can provide protection and temporary refuge. Even in cases where the military is operating in a foreign country, the senior military commander has the authority to grant temporary refuge.⁶⁶

The second key institutional factor that affects refugee situations is the United Nations High Commissioner for Refugees. It is the lead international organization designed to oversee adherence to international refugee law. In addition, it is the lead organization that works with governments and refugee populations toward long-term solutions such as repatriation, integration or resettlement. It has been in existence for more than sixty years and has a significant amount of experience dealing with different refugee populations, governments and aid organizations all over the world. Their role in refugee situations is not likely to decrease in the near future. Additionally, they are likely to be involved in any refugee crisis, to include scenarios like Provide Comfort where the military plays a significant role.

The United Nations High Commissioner for Refugees will be involved in any future refugee situations involving the military. Planners must understand their mission and what they provide to refugee populations. Despite sixty years of experience and their involvement with refugee situations worldwide, they do have limitations. The United Nations High Commissioner for Refugees deploys in small numbers relative to the military. United Nations personnel come from varying backgrounds. As in the case of Provide Comfort, some were actual United Nations employees, some were volunteers and others were non-governmental organization members hired on a temporary contract. The small numbers and varied backgrounds can hinder integration into ongoing, military-led, refugee operations. In cases where the military is conducting large-scale relief operations for refugees, the United Nations is less likely to deploy and immediately take

⁶⁶ U.S. Army, *Operational Law Handbook*, 70.

over all refugee operations from the military. A more likely scenario is the one that played out during Operation Provide Comfort, when United Nations personnel integrated into ongoing military relief operations and slowly took the lead.

The military will conduct the bulk of relief operations, to include coordination and synchronization, until a transition of authority occurs with the United Nations. The Civil Military Operations Center will be critical in setting the right conditions for this transfer. It allows the United Nations personnel to enter into an existing system for coordinating and synchronizing relief efforts. The operations center is designed to integrate non-governmental, international and private aid organization efforts with military operations. Established procedures for the coordination and synchronization of these efforts provide a framework for the United Nations to adopt and continue once the transfer of authority is complete.

International factors

The 1979 Soviet invasion of Afghanistan led to a decade long conflict with the Mujahedeen causing over three and a half million Afghans to flee to nearby Pakistan.⁶⁷ During the conflict, these refugees lived in camps or migrated to different villages along the border in the Federally Administered Tribal Areas of Pakistan. There they stayed for years - marrying, having children, surviving - with little prospect of returning to their homes in Afghanistan, settling somewhere else, or fully integrating into Pakistan society. Today, Pakistan hosts over one and a half million refugees, many of which are the original Afghan refugees that fled at the start of the Soviet-Afghan war.⁶⁸ The conflict produced a massive humanitarian crisis that existed for

⁶⁷ Stephan Tanner, *Afghanistan: A Military History from Alexander the Great to the war against the Taliban* (Pennsylvania: Da Capo Press, 2003), 255.

⁶⁸ Pakistan is home to one of the largest refugee populations in the world. The United Nations High Commissioner for Refugees maintains current statistics on the size, demographics and locations of refugee populations inside of Pakistan. More details on the refugee problem in Pakistan may be accessed

decades yet attracted only minimal coverage until the start of Operation Enduring Freedom in 2001.⁶⁹ What is more, it was a refugee crisis that lingered for years without a significant effort toward solving the Afghan refugee problem by repatriating them, resettling them or integrating them into Pakistan society.

The Afghan refugee situation illustrates the effect of the two key international factors in refugee situations: the media and long-term solutions. The media can affect refugee related foreign policy decisions by playing on the emotions of public. The media can take an obscure refugee-producing event that occurs thousands of miles away and bombard the public with images, videos, and live reporting of the incident through twenty-four news channels and the internet. This form of image-based media is very powerful, it play's on human emotions, changes public opinion and effects the outcome of policy decisions. Conversely, if a refugee producing incident does not get coverage, at best, it remains a low priority on the government's foreign policy agenda but more likely, it is not entertained at all.⁷⁰ The Afghan refugee case also demonstrates the importance of long-term solutions to the refugee problem – repatriation, resettlement, or integration.⁷¹ What is to become of the refugee? An alarming number of refugees live in refugee camps for an incredibly long time, as in the case of Afghan refugees in Pakistan, with little prospect of returning to their homeland, integrating into the country where they seek

through the UNHCR website under “2010 UNHCR country operations profile – Pakistan” at <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e487016>.

⁶⁹ Terrence Wright, “Collateral coverage: media images of Afghan refugees during the 2001 emergency,” The United Nations Refugee Agency, <http://www.unhcr.org/3d57aae54.html> (accessed July 21, 2010), 2.

⁷⁰ Patrick O’Heffernan, *Mass Media and American Foreign Policy: Insider Perspectives on Global Journalism and the Foreign Policy Process* (Connecticut: Ablex Publishing, 1991), 48.

⁷¹ Repatriation is when a refugee returns to their country of origin. Integration refers to the process by which the refugee joins with the society of the country where they seek refuge. The final long-term solution is resettlement to a country other than their country of origin or the country they seek refuge in. These definitions are based upon the United Nations High Commissioner for Refugees’ definitions. To access their website to see their definitions of these terms use; <http://www.unhcr.org/pages/49c3646cf8.html>

refuge or resettling to an altogether different country. Remaining in a refugee camp for years is not ideal for the refugee, the host country, or the agencies that provide aid.

The role of the media in public opinion and refugee related policy

In the 1960s, Marshall McLuhan wrote about the influence of the media and the different forms by which viewers receive information. He described a time, prior to the internet and twenty-four hour news channels, when forms of “cool” media prevailed. There was a greater reliance on print media, such as newspapers and magazines, to keep people informed. Print media required more active participation by the news consumer, and there was less visual stimulation. The reader had to search out the material, read it and form an opinion. Today, “hot” media prevails. Twenty-four hour news channels require only passive participation. The viewer is overdosed with images, the story is told to them – sometimes with a bias - and there is little requirement for interpretation.⁷² Nowadays, these news programs saturate viewers with a constant stream of news about an international incident or conflict; they play on the viewer’s emotions and cause them to consider intervening. This is referred to as the ‘CNN effect.’⁷³

Twenty-four hour news programs have expanded their ability to affect the conduct of U.S. diplomacy and foreign policy. Foreign policy responds to images broadcast through news programs and the effect they have on the viewer.⁷⁴ It affects foreign policy in two ways. First, it domestically politicizes foreign policy decisions. Second, it fast-forwards policymaking.⁷⁵ It can

⁷² David Holmes, *Communication Theory: Media, Technology and Society* (London: Sage Publications, 2005), 40.

⁷³ Steven Livingston, “Clarifying the CNN Effect: An Examination of Media Effects According to Type of Military Intervention” (monograph, Harvard University, 1997), under “Livingston, CNN effect,” <http://www.genocidewatch.org/images/1997ClarifyingtheCNNEffect-Livingston.pdf> (accessed November 5, 2010).

⁷⁴ Steven Livingston, “Clarifying the CNN Effect: An Examination of Media Effects According to Type of Military Intervention.”

⁷⁵ Patrick O’Heffernan, *Mass Media and American Foreign Policy: Insider Perspectives on Global Journalism and the Foreign Policy Process*, 62.

elevate a refugee crisis thousands of miles away in an unfamiliar country from obscurity to importance and requiring immediate intervention. The media developed a stronger ability to influence foreign policy with the advent of twenty-four hour news channels. Internet reporting is also influential in that it allows for the rapid proliferation of information, images and video that fuels the continuous broadcast of news.⁷⁶

So, how is this important to the military planner when preparing for an operation in response to a refugee crisis? Any military operation that deals with refugees must take into consideration the media's ability to affect the environment. Military planners should incorporate public affairs officers while developing an information engagement plan that propagates messages about the refugee population and supports the mission's endstate. Planners must not shy away from media involvement and, instead, find creative ways to utilize the media and their capabilities of reaching and influencing a wide range of viewers. A comparison between the coverage of the Afghan-Soviet war and Operation Enduring Freedom illustrates the differing effects of the media in the era before twenty-four hour coverage and after.

The attention paid to the refugees at the time of the Afghan-Soviet war during the 1980s is in stark contrast with the international attention they received after September 11, 2001, when the nature of the media had changed. During the Afghan-Soviet war, newspapers and one-hour news programs were the main sources of people's information. News programs had a limited amount of time to report on the most relevant local and international issues. While the war between the Soviet Union and the Afghan mujahedeen featured prominently in the media, the plight of the refugees it produced received less attention. The Soviet Union was, at the time, America's enemy and Afghanistan was a sympathetic underdog. However, once the Soviet Union

⁷⁶ Visual images are extremely powerful because they play on the emotions of the viewer. Seeing an event gives the viewer an instantaneous, though sometimes mistaken, sense of understanding. Viewers think they grasp the facts and nuances of a crisis. In this way, the media is able to connect to the viewer personally. The crisis appears simple and they believe they understand it. Dobriansky, Paula J. and McCaffrey Diana A., "Do the media make foreign policy," *World & I* Vol 9, Issue 1 (January 1994): 100.

withdrew, Afghanistan and the resulting three and a half million refugees vanished into obscurity. Afghanistan and the plight of Afghan refugees were not relevant to the United States as we became preoccupied with the collapse of the Soviet Union. There were less news outlets and airtime, the Soviet Union collapse consumed all the news broadcasts available, and Afghan refugees received little to no press. In the years following the Soviet's withdrawal from Afghanistan, if the media portrayed Afghanistan at all, it was as an on-going saga of conflict and misery with no clear beginning or ending.⁷⁷

This changed in 2001 when the United States military invaded Afghanistan to attack Al Qaeda and the Taliban that hosted them. By then the, internet was in wide use all over the world. Twenty-four hour news stations were commonplace, not only in the United States but in many other countries, as well. Once again, Afghanistan featured prominently in the media. However, now there were new agencies broadcasting news twenty-four hours a day. When not in front of a television watching Cable News Network or the British Broadcasting Corporation, a viewer could get news on Afghanistan from a personal computer at home or via a laptop. The media had the time to cover the Afghan war, its culture, and its people, to include the three and a half million refugees living in Pakistan. Images of the refugees and their deplorable living conditions were easier to obtain. The images showed Afghans – men, women and children - living in camps along Pakistan's hinterland without the prospect of a better life. The refugees were just part of a massive humanitarian crisis that existed for decades yet only attracted minimal coverage until the start of Operation Enduring Freedom.⁷⁸

⁷⁷ Peter Mares, "Distance makes the heart grow fonder: Media Images of Refugees and Asylum Seekers," in *Refugees and Forced Displacement: International Security, Human Vulnerability, and the State*, ed. Edward Newman and Joanne van Selm (New York, NY: The United Nations University Press, 2003), 341.

⁷⁸ Terrence Wright, "Collateral coverage: media images of Afghan refugees during the 2001 emergency," The United Nations Refugee Agency, <http://www.unhcr.org/3d57aae54.html> (accessed July 21, 2010), 2.

Like Operation Enduring Freedom, the NATO-Kosovo war from March to June, 1999, that resulted in eight hundred thousand refugees, highlights the effect of twenty-four hour global broadcasting. News channels such as the Cable News Network, the British Broadcasting Corporation and others throughout Europe featured the war prominently in their broadcasts. Anyone with access to the internet could easily stay abreast of what NATO and Serbian forces were doing. The extensive media coverage affected the foreign policy of several European countries. Prior to the war, they looked unfavorably toward immigrants and refugees. However, this changed and near the end of the conflict, they accepted thousands of Kosovars into their countries.⁷⁹ This case provides another example of the effects of twenty four hour news broadcasting on refugee crisis.

The troubled history of the Federal Republic of Yugoslavia served as the catalyst for much of the conflict in the Balkans that occurred in the 1990s. The division along ethnic lines in Yugoslavia was the result of poor attempts at unifying the various ethnic and religious groups throughout Yugoslav society. Animosity still festered decades after the 1941-1945 Yugoslavia Civil War, furthering ethnic tensions. The government also suffered from an imbalance of ethnic equality, which put further strains on an already volatile situation.⁸⁰

The dissolution of the Federal Republic of Yugoslavia in 1992 resulted in conflicts in Bosnia, Serbia, Croatia, Macedonia and Kosovo. The economic and political collapse of Albania in 1997 resulted in huge stores of weapons and ammunition finding their way into the hands of the Kosovo Liberation Army. This organization rose to power in the mid-1990s in response to increased persecution of Kosovar Albanians by the Serbian government. Better armed and equipped, the lethality of their attacks against Serb officials, military and police forces improved

⁷⁹ Matthew J. Gibney, "Kosovo and beyond: popular and unpopular refugees," *Forced Migration Review* 5 (August 1999): 29.

⁸⁰ Veljko Vujacic, "Yugoslavia Dissolution," in *Revolutionary Movements in World History: From 1750 to the Present Volume 3*, ed. James V. DeFronzo (Santa Barbara, CA: ABC-CLIO, 2006), 966.

tremendously. The Serbian government took action in response to their attacks and military and police forces targeted the Kosovo Liberation Army leadership. The conflict quickly spiraled out of control, resulting in over one million refugees. A NATO bombing campaign, and international pressure, were successful in causing the Serbian Army to leave Kosovo.⁸¹ Images of precision bombing of Serbian forces, defensive positions and government buildings by NATO forces, as well as the plight of the refugees, were commonplace on television and in print media. Stories with titles such as “Centuries-Old ‘Blood Oath’ Must Stop” and “Kosovo A Year Later: How a ‘Splendid Little War’ Failed” described the ethnic fighting that created hundreds of thousands of refugees and NATO’s attempt at stopping the expulsion of Albanians out of Kosovo at the hands of the Serbs.⁸²

Media coverage of the conflict and the plight of Kosovar refugees influenced the foreign policies of several European countries. In Europe, beginning in the 1980s, an uptick in immigration resulted in increased fears that the immigrants would drain welfare services, increase crime and create security problems for the countries they settled in. During the NATO-Kosovo conflict, when large numbers of Albanian Kosovars fled, the media’s narrative contained clear aggressors, Serbia and Slobodan Milosevic, as well as obvious victims, the Albanian Kosovars. Television coverage portrayed the refugees sympathetically, as victims of war, violence and human rights violations.⁸³ This message, combined with widespread images of the refugees,

⁸¹ For more information on the war in Kosovo, as well as the history of conflict and tensions in the Balkans see Noel Malcom’s *Bosnia: A short history* and *Kosovo: A short history*. Additionally, *Balkan Ghosts: A Journey through History* by Robert Kaplan provides an extensive study of the region and the ethnic tensions that led to the major conflicts of the 1990s.

⁸² Alex A. Vardamis, “Centuries-Old ‘Blood Oath’ Must Stop,” *San Francisco Chronicle*, July 2, 1999, under “NATO Kosovo war in the news,” <http://www.sfgate.com/cgi-bin/article.cgi?f=/chronicle/archive/1999/07/02/ED90538.DTL&type=printable> (accessed November 6, 2010). And Edward Luttwak, “Kosovo A Year Later: How as ‘Splendid Little War’ Failed,” *Los Angeles Times*, March 23, 2000, under “NATO Kosovo war in the news,” <http://www.commondreams.org/views/032300-106.htm> (accessed November 6, 2010).

⁸³ Peter Mares, “Distance makes the heart grow fonder: Media Images of Refugees and Asylum Seekers,” 341.

changed public opinion which influenced foreign policy, resulting in the airlift of over ninety thousand refugees to countries such as Germany, Turkey, France and Norway, which were previously anti-refugee.⁸⁴

Long-term solutions to the refugee problem – repatriation, integration and resettlement

There were two mass migrations of Palestinian refugees after the Second World War. The first was when the British Mandate of Palestine ended resulting in the 1948 Arab-Israeli war. During the conflict, between five hundred and seven hundred and fifty thousand Palestinians fled the fighting, or were forced from their homes, and became refugees.⁸⁵ The second exodus occurred during the Six-Day War between Israel and its neighboring states of Egypt, Jordan and Syria in June, 1967. It created over three hundred thousand Palestinian refugees. At the end of the war, Israel gained the West Bank and Gaza Strip – Palestinian dominated areas.

Many of the refugees fled to Jordan and by the end of 1967 and the refugee population there grew to over five-hundred thousand.⁸⁶ The Palestinians also settled into refugee camps in Syria, Lebanon as well as Gaza and the West Bank where they remain to this day. This case illustrates a common outcome for the refugee, that is, they remain in a refugee camp for the rest of their lives. This case also highlights the importance of programs to either repatriate the refugee to their country of origin, integrate them into the society of the country where they seek refuge, or to resettle them into another country altogether.

⁸⁴ For a more extensive list of where the Kosovar refugees were evacuated to see, “Kosovo: the implications for humanitarian intervention” by Richard Caplan. It can be accessed at, <http://www.fmreview.org/textOnlyContent/FMR/05/contents.htm>. Caplan provides a detailed list of all of the countries that accepted Kosovar Albanian refugees during the NATO-Kosovo conflict.

⁸⁵ Alexander B. Downes, *Targeting Civilians in War* (New York: Cornell University Press, 2008), 185.

⁸⁶ Josheph Ginat and Edward J. Perkins, eds., *The Palestinian Refugees: Old Problems – New Solutions*, (Brighton: Sussex Academic Press, 2001), 252.

Despite the efforts of organizations like the United Nations High Commissioner for Refugees, millions of refugees worldwide remain in refugee camps, in some cases for as many as thirty years. In lieu of living in a camp the rest of their lives, there are three viable long-term solutions to this refugee problem; repatriation to the refugee's country of origin, resettlement to another country, or integration into the country where they seek refuge. These long-term solutions are endstate conditions for any military operation involving refugee populations. The military planner must consider the feasibility of either repatriation, resettlement, or integration, while taking into consideration the environment and strategic guidance, and then develop a campaign in order to achieve these goals.

Historically, repatriation has been the program that most benefits the refugee. It allows them an opportunity to return to a country and society familiar to them. This requires an obvious change in the security environment of the refugee's homeland that eliminates the source of fear that drove them out. An estimated twenty-four million refugees have returned to their homeland over the past twenty years. This number has been in decline since 2004. In 2009, only two hundred and fifty thousand refugees voluntarily repatriated. This was a fifty-eight percent decrease from the previous year. It was also the lowest it has been since 1990.⁸⁷ The majority of these refugees returned to their country of origin with assistance from the United Nations High Commissioner for Refugees.⁸⁸ Many others repatriated through agreements directly between one country and another without the aid of the United Nations. Still others repatriated without the

⁸⁷ In 2008, the United Nations High Commissioner for Refugees reported the number of refugees that voluntarily repatriated as 640,000. Afghanistan continued to be the main country of return with 57,600 registered returns during 2008. The return of 33,000 refugees to Sudan brought the total of Sudanese refugees that repatriated to over 300,000 since the end of the civil war and the beginning of repatriation programs by the United Nations High Commissioner for Refugees in 2005. Of the 300,000 that returned, over 180,000 received assistance from the United Nations High Commissioner for Refugees and several thousand went back on their own.

⁸⁸ The United Nations High Commissioner for Refugees works with governments and non-governmental organizations toward refugee solutions. They promote housing and property restitution, provide legal aid and offer assistance as refugees return through their country teams. The UN Refugee Agency, <http://www.unhcr.org/cgi-bin/texis/vtx/home> (accessed September 4, 2010).

knowledge of either country or the United Nations electing simply to cross a border back into their home country.⁸⁹

Resettlement, the second long-term solution to refugee problems, has been on a general incline over the past decade. It serves as a viable solution for the refugee that fears retribution should they return to their homeland. It also provides an alternative to remaining in a refugee camp for an undetermined amount of time. Over one hundred and twelve thousand refugees resettled in 2009 out of one hundred and twenty-eight thousand requests the United Nations High Commissioner for Refugees processed for resettlement.⁹⁰ The United Nations' greatest challenge to resettlement is meeting the demand. The number of requests for resettlement far exceeds the number of countries willing to accept refugees.⁹¹

The third long-term solution for a refugee problem is integration into their country of refuge. It requires the gradual acceptance of the refugee into the host society. From a legal standpoint, it is largely dictated by the state's immigration laws. Many countries maintain strict laws that regulate the right of entry and the duration of stay. They also have laws that dictate the process of naturalization by which immigrants can become citizens. Integration is a complex and gradual process that requires the refugee connect with the legal, economic and socio-cultural dimensions of the host society.⁹²

⁸⁹ The United Nations Refugee Agency. "2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons," <http://www.unhcr.org/4c11f0be9.html> (accessed June 19, 2010).

⁹⁰ During 2009, the United Nations High Commissioner for Refugees reported that over one hundred and twelve thousand refugees were admitted to nineteen different resettlement countries, including the United States of America (79,900), Canada (12,500), Australia (11,100), Germany (2,100), Sweden (1,900), and Norway (1,400). This represented a twenty-five percent increase from the total number of refugees resettled in 2008 (just eighty-eight thousand). The 2009 figure was the highest it has been since 1995.

⁹¹ The United Nations Refugee Agency. "2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons."

⁹² The United Nations Refugee Agency. "2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons."

At the end of the French-Algerian war, the government of France attempted a massive refugee resettlement operation that brought hundreds of thousands of *Pieds Noirs* and native Algerians to France. The *Pieds Noirs* were descendants of the original French colonists who invaded and conquered Algeria in 1830. They were French citizens in every way despite living in Algeria for several generations. They were the dominant landowners and held the majority of governmental positions. The *Pieds Noirs* separated themselves religiously, culturally and economically from the Muslim majority in Algeria.⁹³

The war in Algeria officially began on All Saints Day, November 1, 1954, when the Algerian National Liberation Front attacked police stations all across Algeria and declared their vision for national independence. The war lasted seven years, resulted in the death of seven hundred thousand people and created hundreds of thousands of refugees.⁹⁴ When it ended, over nine hundred thousand *Pieds Noirs* and native Algerians, loyal to France, resettled to France.⁹⁵

Two factors played into the *Pieds Noirs* decision to leave Algeria and resettle in France. The first had to do with a changed security environment. The situation in Algeria, during the final years of the war, created an environment where it was more dangerous for the *Pieds Noirs* to stay.⁹⁶ Many left Algeria for Spain, Canada, Israel, and Argentina. However, over nine hundred thousand elected to resettle in France. The majority chose the southern region of France, which most closely resembled the temperature and climate of Algeria.

⁹³ Alistair Horne, *A Savage War of Peace: Algeria 1954-1962* (New York: The New York Review of Books, 2006), 50.

⁹⁴ There are some estimates that the war in Algeria resulted in as many as two million refugees. The exact number has been difficult to confirm. However, a trip report by the United Nations in January of 1959 calculated the number of Algerian refugees in Morocco to be 120,000. Additionally, the trip estimated the number of Algerian refugees in Tunisia to be 120,000. (A. Rorholt, Report on Mission to Morocco and Tunisia; dated 26 January 1959)

⁹⁵ Alistair Horne, *A Savage War of Peace: Algeria 1954-1962*, 520.

⁹⁶ A rise in violence at the hands of Organisation Armée Secrète toward Algerian citizens resulted in a continued loss in popularity of France and many *Pieds Noirs* in Algeria. Alistair Horne, *A Savage War of Peace: Algeria 1954-1962* (New York: The New York Review of Books, 2006), 513, 533 and 549.

The second factor related to the French government's decision to grant Algeria independence. When in 1962 Algeria gained its independence, the *Pieds Noirs* faced two choices. First, they could leave behind their way of life in Algeria for a new one in France. Resettling in France involved a promise of compensation from the French government to assist and ease their transition into French society. Their other choice was to stay in Algeria. Staying in Algeria however, came with a cost. After a transitional period of three years, they then had to decide whether or not to give up their French citizenship. If they did, they could enjoy every protection and privilege afforded Algerian citizens. If they elected to retain their French citizenship, they would be considered foreigners.⁹⁷

The French government established a Ministry of Repatriation to assist with the resettlement. In 1964, the ministry disbanded, and the *Pieds Noirs* integration into French society declared complete. However, for many of them, it was anything but complete, or successful. The government was largely unprepared for the nine hundred thousand refugees that elected to resettle. They expected and only planned for three hundred thousand people. In the preparations leading up to the end of the war, the government proposed to set aside two billion French francs as compensation for property and possessions the *Pieds Noirs* had to leave behind in Algeria. However, the *Pieds Noirs*' estimated property values in Algeria were closer to twenty billion. The two billion francs only equated to roughly sixteen hundred francs per family – not nearly enough to equate to their losses or adequately assist them in getting started in France. Despite promises of more compensation, when it came to the government actually providing it, there was significant political disagreement that affected timely payments. There was little support politically for the

⁹⁷ Alistair Horne, *A Savage War of Peace: Algeria 1954-1962*, 520.

Pieds Noirs in France. The more wealthy *Pieds Noirs* had an easier adjustment. Those that were less well off had a much more difficult transition.⁹⁸

When the *Pied Noirs* arrived in France, they found very limited and inadequate preparations to assist in their integration into French society.⁹⁹ Resettlement programs designed to assist them in their transition to French society were slow in getting off the ground. Only after intense lobbying by the new arrivals, coupled with a lingering fear on the part of many French officials that unless the *Pieds Noirs* needs were met they might attack the government, did the programs start working.¹⁰⁰ In 1978, the French government made a final allocation of thirty billion French francs to the resettled *Pieds Noirs*.¹⁰¹ This small victory, in compensating the *Pieds Noirs* population for uprooting themselves from their well-established lives in Algeria, consumed nearly all of their energies and the energies of their limited number of political supporters.¹⁰²

The *Pieds Noirs* case illustrates the importance of planning, coordinating and properly resourcing plans for refugee repatriation. This can be extended to include plans for integration and resettlement as well. This case juxtaposed against the case of the Palestinian refugees highlights the importance of a feasible long-term solution to the refugee problem. The solution may be repatriation to the refugee's country of origin, resettlement to another country, or integration into the country where they seek refuge. These long-term solutions are endstate conditions for any military operation involving refugee populations. The military planner must

⁹⁸ Ian Lustick, "The Unraveling of Algérie Française and the Fate of the *Pieds Noirs*," in *Population Resettlement in International Conflicts*, ed. Arie M. Kacowicz and Pawel Lutomski (United Kingdom: Lexington Books, 2007), 51.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ The final payments were essentially a fifteen-year 'back-payment'. They were lump sums that did not account for inflation in the fifteen years since the *Pieds Noirs* arrived in France.

¹⁰² Ian Lustick, "The Unraveling of Algérie Française and the Fate of the *Pieds Noirs*," 51.

consider the feasibility of either one of these options while considering the environment, strategic guidance in order to develop an executable and clearly understood plan.

Implications for the military planner

Media coverage through twenty-four hour news channels can have an effect on a refugee crisis. It can be the catalyst for action. It can also effect on-going refugee operations by influencing people's interests with either an increase or decrease in updates, information and images for viewers to consume. For this reason, military planners must consider the effects of the media when planning and preparing for any operation that involves refugee populations.

News agencies such as the Cable News Network, the British Broadcasting Corporation and others have the ability to reach a wide range of people and influence their thinking about refugees. Their ability to influence increased with the advent of twenty-four hour news broadcasting. During the Kosovo war, constant broadcasting connected refugees with a larger European audience. This was instrumental in changing public opinion in Europe during the NATO-Kosovo war and resulted in several countries, such as Germany, Turkey, France and Norway, accepting thousands of Kosovar refugees.

Conversely, they can also have a negative effect. When they do not cover a refugee creating event there is less of an opportunity to influence viewers and refugee related foreign policy. In the case of Afghan refugees following the Afghan-Soviet war, twenty-four hour news channels did not exist, news programs had a limited amount of time, live reporting and images were harder to distribute than they are nowadays. The refugees took a back burner as the media shifted focus to a more important story, the dissolution of the Soviet Union. As a result, they remained an almost unheard of refugee problem until the start of Operation Enduring Freedom.

Strategic communication is important for any operation, especially one involving refugee populations. Planners should incorporate the expertise of public affairs officers to develop information engagement plans. Together, they must develop appropriate messages, decide on the

medium to deliver them and identify the intended audience. Refugee related plans must also involve the use of the media to reach and influence a wide audience. New agencies, reporters, and the like must be included, to the greatest extent possible, as opposed to excluding them. They have the capability to reach a large number of people and the power to influence a great many by the information and images they provide. If properly utilized, they are a powerful asset for any refugee operation.

A refugee camp is temporary housing. It provides a safe environment for the refugee to live in until the security environment changes and they can return to their home country or, a decision is made to resettle them to another country or integrate into the country where they seek refuge. It should not be a permanent solution like in the Palestinian case where some refugees have lived in camps for more than sixty years. The refugee camp, as a long-term solution, is not acceptable for the refugee, the nation hosting the refugee or the agencies that provide aid.

Repatriation, resettlement, and integration programs serve as three long-term solutions to the problem of refugees living in camps the rest of their lives. Any operation involving refugees must have the long-term solution addressed as an endstate condition. This, of course, requires a thorough analysis to determine feasibility. If repatriation is the answer, the security environment must change to where the threat to the refugee no longer exists. The planner must assess the likelihood and impact of anti-refugee sentiment to determine the feasibility of resettlement or integration programs.

Lastly, repatriation, resettlement, and integration programs must be carefully planned and properly resourced in order to ensure success. The military will not act alone to make any one of these endstate conditions happen. There will be involvement from international or private organizations, which will require careful coordination and synchronization. The most capable organization to ensure that this type of coordination and synchronization occurs is the military. The Civil Military Operations Center will be critical to ensure that coordination between military, international and private organizations is synchronized toward achieving the same goals.

Psychological and Social Factors

Rwanda was embroiled in a conflict between 1990 and 1994 that was marked by periods of extreme violence, mass murders, and torture, as well as physical and sexual abuse. It resulted in a massive outpouring of refugees. The conflict was one in which civil war and genocide became intertwined, making for an incredibly violent environment. Between three thousand and five thousand people were killed during the initial fighting between the Rwandan Patriotic Front, a Tutsi led organization, and the Hutu-dominated Rwandan military. Though the conflict nearly ended with the establishment of the Ashura Peace Agreement, the sudden death of Rwandan President Juvenal Habyarimana on April 6, 1994, sparked conspiracy theories in the Hutu-dominated government that the Hutu president's death was a Tutsi plot. This event triggered a genocide, and Hutus embarked on a campaign to exterminate any Tutsi, or pro-peace Hutu, that remained in Rwanda. The genocide lasted approximately one hundred days and resulted in the deaths of an estimated eight hundred thousand people.¹⁰³

The war officially ended on July 19, 1994, when the Rwandan Patriotic Front successfully seized control of Rwanda's capital, Kigali. From the day the conflict started to when it ended with the seizure of the capital, as many as two to three million people fled the violence for safety in neighboring countries, including Burundi, Congo, Tanzania and Uganda.¹⁰⁴ Many of the political leaders and populations for these countries feared that the refugees would require more aid and resources than they could provide and create security challenges for them, which proved to be true for the Congo. The refugee camps in the Congo became recruiting centers and training bases for the Rwanda Patriotic Front and other militias.¹⁰⁵ These organizations used

¹⁰³ Genevieve Asselin, Kristine St-Pierre and David Carment, "Rawanda 1990-1994," 655.

¹⁰⁴ Kisangani N. F. Emizet, "The Massacre of Refugees in Congo: A Case of UN Peacekeeping Failure and International Law," *The Journal of Modern African Studies* 38, no. 2 (July, 2000): 164.

¹⁰⁵ Genevieve Asselin, Kristine St-Pierre and David Carment, "Rawanda 1990-1994," 644.

many of the camps as bases to launch attacks into Rwanda. They also initiated attacks against Congolese Tutsis. Between 1995 and 1996, the Rwanda Patriotic Front drove thousands of Tutsi out of Congo territory bordering Rwanda and effectively established an all-Hutu area. The Congolese Tutsis fought back and the ensuing conflict created a second refugee crisis. The fighting caused between five hundred thousand and seven hundred thousand Congolese refugees to flee to Rwanda.¹⁰⁶

These conflicts created a massive refugee crisis throughout much of central Africa. When the majority of fighting ceased, as many as two million people were refugees. Many witnessed death, destruction or were themselves, victims of extreme violence. This particular case illustrates the effect of the two key psychological and social factors in refugee situations: victimization and the public's fear of refugees. First, refugees are often victims of violence and governmental persecution in their country of origin. They may also be victims of inadequate programs and services designed to assist in their transition. The trauma refugees experience has the potential of leaving a lasting impression on the individual refugee and even the population as a whole. Second, refugees often carry many negative associations. Political leaders and the civilian population often fear that large numbers of refugees will drain resources and welfare services, as well as bring crime and disease. They may also view refugees as a security threat and be less inclined to assist or, openly hostile toward refugees.

Victimization

During the 1980s, Dr. Mohammed Azam Dadfar, a psychiatrist, established an office in Peshawar, Pakistan, the unofficial capital for over three million Afghan refugees who fled the Afghan-Soviet war. Over the years, he treated hundreds of Afghans. What he discovered was that

¹⁰⁶ Kisangani N. F. Emizet, "The Massacre of Refugees in Congo: A Case of UN Peacekeeping Failure and International Law," 170.

many of the refugees carried with them the psychological traumas of war. Many of his patients saw people killed, homes destroyed and had the added stress of uprooting and settling in a desolate, isolated and overcrowded refugee camp. The men manifested feelings of constant anger due to a loss of self-respect. They no longer were the provider for the family and instead had to wait on the distribution of rations from aid agencies in order to feed their family. The women felt isolated. They lived in exile within the crowded camps, among complete strangers, and no longer enjoyed the limited freedoms they once had in their native Afghanistan before the war. Dr. Dadfar found that the children in the camps fared even worse. They were malnourished, suffered from parental neglect, a lack of educational opportunities and there was no social stimulation.¹⁰⁷

Some of the Afghan refugees not only had seen people killed, or houses destroyed, they were also tortured and carried with them even greater extremes of psychological trauma. Torture, and its associated psychological trauma, is not exclusive to Afghans alone. There are numerous reports of torture from Iraqi refugees from 2003 to 2009. Nibras Naseer, an eighteen-year-old Iraqi refugee living in Syria is one of them. In 2006, a group who claimed to be members of al-Qaida in Iraq kidnapped Naseer. They subjected him to beatings and torture. What is more, his captors forced him to watch while they killed three of his fellow prisoners. "I went crazy...I lost my mind," Naseer said.¹⁰⁸ His captors held him for weeks before his family was able to pay the ransom for his release. Naseer has long since recovered from the physical wounds suffered during his captivity. However, he suffered long-term psychological damage during his ordeal that has not healed, and will likely affect him the remainder of his life.¹⁰⁹

¹⁰⁷ Henry Kamm, "Afghan Doctor Tells of Nation's Mental Scars," *The New York Times*, May 2, 1988, under "traumas of war afghan refugee 1988," <http://www.nytimes.com/1988/05/02/world/afghan-doctor-tells-of-nation-s-mental-scars.html> (accessed November 2, 2010).

¹⁰⁸ Deborah Amos, "Iraqi Refugees Suffer Long-Term Effects of Torture," *National Public Radio*, January 17, 2008, under "Iraqi refugees war trauma," <http://www.npr.org/templates/story/story.php?storyId=18164366> (accessed November 2, 2010).

¹⁰⁹ Deborah Amos, "Iraqi Refugees Suffer Long-Term Effects of Torture," *National Public Radio*, January 17, 2008, under "Iraqi refugees war trauma."

Refugees are often victims of conflict, governmental persecution, or violence designed to drive them out of their home country. They have to leave all that is familiar, their way of life and, sometimes, family members, for an uncertain future in an unfamiliar country. When they arrive, they may be victims of further persecution by an apprehensive receiving government, or its people. There may be limited aid or programs to assist in their integration into a new society, resettlement to another country, or return to their home. Together, these factors create opportunities for refugees to be re-victimized as they live unwelcomed, on the outskirts of a difficult society. Furthermore, these experiences have the potential of leaving lasting impressions upon the individual refugee, as well as an entire population.

For the military planner this means adequate medical resources to address the refugees' physical and psychological needs while remaining sensitive to their cultural norms. These may require significant coordination and synchronization with international, private or governmental agencies. Equally important is the coordination and effective resourcing of programs tied to the refugees' long-term solution. Whether the long-term solution is repatriation, integration or resettlement, these programs must be planned and resourced correctly so as not to create further problems for the refugee population or the host country.

A good example is the experience of the *Pieds Noirs* following the French-Algerian war. Over nine hundred thousand *Pieds Noirs* and native Algerians left Algeria for France at the end of the French-Algerian war. They were in every way considered French citizens and enjoyed all rights afforded to the French citizens living in mainland France, despite having lived in Algeria for their entire lives. Although not geographically connected to France, France afforded Algeria a special status – it was a part of France and not simply a colony. In most cases, the *Pied Noirs* lived in Algeria for generations and had few ties to modern French society and culture. Despite

being French citizens, when they arrived in mainland France at the end of the war, much of what they saw and experienced was completely foreign to them.¹¹⁰

The uncertainty likely felt by the *Pied Noir* as he or she stepped off the boat into France was compounded by the fact that the French Government was ill-prepared for their arrival. There was little to assist them in their resettlement. The *Pieds Noirs* were victims of eight years of war, and then they became victims again of an ill-planned and under-resourced effort to settle them in France. Their arrival in France came as a rude and painful psychological shock.¹¹¹ Neither their leadership, nor their culture, had prepared them for their new life. They no longer held the positions of authority they once held in Algeria, having left their societal status behind. In France, they were of a lower social class and their feelings of victimization manifested themselves in anger and resentment toward all foreigners, especially North Africans, as well as antagonistic relations with many native French.¹¹²

This is one of many situations where refugees were victims of conflict, persecution and ill-planned or under-resourced programs to assist in their resettlement. It is also one of many situations where refugees' feelings of victimization would have a lasting impact upon the refugee population. Germany and Poland after the Second World War provide another.

German and Polish experiences during and after the Second World War provide a more profound example of the effects of victimization on a refugee population. The devastation of the Second World War on European populations was massive. There was indescribable destruction, millions died and millions more became refugees. The fighting, as well as the fear of persecution, forced many to leave their homes for safety elsewhere. When the war ended, however, it did not

¹¹⁰ Alistair Horne, *A Savage War of Peace: Algeria 1954-1962*, 533 and 554.

¹¹¹ Ian Lustick, "The Unraveling of Algérie Française and the Fate of the *Pieds Noirs*," in *Population Resettlement in International Conflicts*, ed. Arie M. Kacowicz and Pawel Lutomski (United Kingdom: Lexington Books, 2007), 65.

¹¹² Ian Lustick, "The Unraveling of Algérie Française and the Fate of the *Pieds Noirs*," 51.

end the refugee problem. In fact, for Germans living in Poland at the end of the war, it increased. When the new Polish government came to power at the war's end, it sanctioned a plan that forcibly removed German citizens living in Poland. Seven million people were packed up on trains and sent west with most, or all, of their belongings left behind. Fifty years later, survivors of the expulsion, or their descendents, would not forget and attempted to receive compensation and recognition.¹¹³

The expulsion left lasting psychological scars on the Germans that experienced it. There were three phases to the expulsion. The first began in April 1945, when Germans began leaving Poland voluntarily. They were fearful of the Russian army and persecution under Russian rule. Approximately three and a half million Germans living in Poland fled during that time. The second phase occurred between May and August of 1945, when the first mass expulsions occurred. Between seven hundred and eight hundred thousand German citizens were forced out of the country by Russian and Polish officials. The third and final phase of the expulsion took place after the signing of the Potsdam Agreement in August 1945, which redefined Poland's eastern and western borders, reacquiring much of the territory – and the Germans living within that territory - lost to Germany when the war began.¹¹⁴

During the final phase, the Germans suffered the greatest degree of hardships, deprivation and humiliation. The Poles housed them in recently liberated concentration camps and utilized cattle cars to deport them, similar to how Jews were moved under the Nazi regime. In the cattle cars, they were often without enough food and were subject to harsh weather conditions. The inhumane conditions and brutality that they suffered caused many to perish. Thousands died while being transferred. The Germans were not the only people who suffered during the Second

¹¹³ Pawel Lutomski, "The Polish Expulsion of the German Population in the Aftermath of World War II," 99-100.

¹¹⁴ Ibid., 100-101.

World War. More than five million Poles lost their lives during the conflict. The German military forced approximately three million from their homes, many were interned in camps and approximately one million were forced into labor for Germany.¹¹⁵

Sixty years after the war, the victims were still demanding compensation. In 1999, there was growing support for German companies to establish a fund to compensate forced laborers and other victims of Nazism. This reignited Polish feelings of victimization at the hands of the Germans during the war, and Poland sought a central role in shaping the fund. Polish Prime Minister Jerzy Buzek made a point to remind many of this cost. “[S]ome two million Poles were deported to Germany after the Nazis invaded in 1939 and subsequently worked under prison-like conditions in German companies or on farms.”¹¹⁶ It was apparent that the emotional wounds of the Second World War had not gone away. They continued to intertwine themselves in politics over the next several years as each country attempted to make the case that they were the victims of crimes perpetrated by the other.¹¹⁷

The Poles expulsion of Germans after the end of war, coupled with Polish suffering during it, cast a shadow on German-Polish relations that persisted for more than fifty years. Beginning in the 1990s, each country pursued legal action, as well as diplomatic efforts, to force the other to pay compensation and take responsibility for the atrocities suffered during, and in the aftermath of, the Second World War. German claims of victimization in the aftermath of the Second World War were an unpopular argument with widespread resistance. However, in 2000, the Prussian Claims Society was established to seek compensation for property lost during the

¹¹⁵ Pawel Lutomski, “The Polish Expulsion of the German Population in the Aftermath of World War II,” 101.

¹¹⁶ Barry Miller, “Poland Seeks Role in Fund for Nazi Forced Laborers,” *The New York Times*, February 15, 1999, under “Poland seeks role in fund for Nazi forced laborers,” <http://www.nytimes.com/1999/02/15/world/poland-seeks-role-in-fund-for-nazi-forced-laborers.html> (accessed May 19, 2010).

¹¹⁷ Barry Miller, “Poland Seeks Role in Fund for Nazi Forced Laborers.”

German expulsion from Poland at the end of war. Arguments of victimization and claims of compensation persisted in German–Polish relations. As a result, their relationship continued to weaken. These actions further strained German-Polish relations and lessened any chances of reconciliation.¹¹⁸

This case illustrates the lasting effect traumatic experiences can have on an entire refugee population. The effects can last over time and have consequences on future relations. Germans and Poles have not forgotten the atrocities they afflicted against one another. They continue to push the other to take responsibility and to pay compensation to the families that suffered. Even after sixty years, the effects of these experiences persist today and have a negative effect on their current relations.

Refugee fear

The case of Haitian refugees coming to America in the 1990s provides an example of the effects of refugee fear on U.S. politicians and the population.¹¹⁹ During the 1980s and 1990s, conditions in Haiti worsened, causing thousands to leave the country. Political corruption, governmental ineptitude, and a declining economy under President Jean-Claude Duvalier, or Baby Doc, paved the way for numerous violent changes. Baby Doc was forced into exile in France through international pressure abroad and a military coup at home. There were several presidents after Baby Doc's departure until Haitians elected the popular Jean-Bertrand Aristide. After only seven months in office, however, Aristide, too, was ousted by a military coup. The

¹¹⁸ Pawel Lutomski, "The Polish Expulsion of the German Population in the Aftermath of World War II," 99.

¹¹⁹ The United States and Haiti have a long history. Relations between the two countries began soon after Haiti gained its independence from France in 1804. The United States military occupied Haiti beginning in 1915, by order of President Woodrow Wilson, to protect the United States' interests in the Caribbean. When President Franklin Delano Roosevelt ordered the military home and the final units left Haiti in 1934, diplomatic relations between the two countries continued. Hans Schmidt, *US Occupation of Haiti, 1915-1934* (New Jersey: Rutgers University Press, 1995), 229.

frequent change in government and military coups created an environment of instability and civil unrest. As a result, thousands of Haitians opted to buy a boat, or build one, and set sail for America.¹²⁰

“Give me your tired, your poor, your huddled masses yearning to breathe free... Send these, the homeless, tempest-tost to me,” is the familiar inscription at the Statue of Liberty.¹²¹ Yet this welcoming sentiment was not extended to the Haitian refugees seeking asylum in America. As speculation about the number of people leaving Haiti began to grow, so did the public’s fear that refugees would flood their communities, drain resources and increase crime. As the public’s fear grew, so did political fears. The public’s anxiety associated with a possible flood of Haitian refugees caused Florida’s governor and senator to take up the political fight to stop any attempts to accept Haitian refugees.¹²²

Refugees carry many negative associations. A sudden influx of refugees can appear threatening. The public often believes they will bring disease and crime with them. They can drain government resources and social services. The public’s fear of refugees has the potential of influencing political leaders, as well. It is not uncommon for governments to adopt anti-refugee rhetoric and policies. Countering refugee fear is a significant problem for the military planner. There is a need for an information engagement plan to dispel rumors and counter this kind of sentiment. A comprehensive plan will be key to lessening the impact refugee fear can have on the population and government where the refugees seek safety.

¹²⁰ Henry F. Carey, “Haiti’s Democratic Revolution”, in *Revolutionary Movements in World History: From 1750 to the Present*, ed. Martin Stuart-Fox and James V. DeFronzo (Santa-Barabara, CA: ABC-CLIO, 2006), 2:353.

¹²¹ Emma Lazarus’ poem, *The New Colossus* was written in 1883. It is engraved on a plaque within the pedestal of the Statue of Liberty. Lazarus’ entire poem, and the full inscription, may be viewed at; <http://www.libertystatepark.com/emma.htm>.

¹²² Kelly M. Greenhill, *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy*, (New York: Cornell University Press, 2007) 206.

Public fear of refugees is not exclusive to America. Most European countries are fearful of large numbers of refugees and immigrants, their impact upon social services, and the potential for increased crime that they may cause. These fears increased during the 1980s and 1990s, due to more open borders and increased migration. Two countries where these refugee and immigrant fears grew the most were Italy and Germany.¹²³

This fear became a factor in the months leading up to the NATO-Kosovo war in 1999. As the likelihood of conflict grew, so did the talk of a potential refugee crisis. To make matters worse, threats made by the president of the Federal Republic of Yugoslavia, Slobodan Milosevic, only confirmed people's fears of a potential refugee crisis. Milosevic, on several occasions during talks with other European leaders and the international media, made clear that a conflict would create a refugees crisis. Furthermore, any threats of aggression by NATO that triggered the crisis would create problems beyond the border of Yugoslavia, and pose a threat to the security of several European countries.¹²⁴

In talks with the German Foreign Minister, Joschka Fischer, Milosevic warned Fischer that he could empty Kosovo in a week.¹²⁵ Fischer and many other governmental officials did not take Milosevic's threats lightly. Countries such as Germany, Italy and Greece believed that thousands of Kosovars would flee the conflict in Kosovo and seek safety within their borders. The public's fear of vast numbers of refugees flooding social services and other resources ignited political and diplomatic fears, as well. These fears ultimately proved true as over eight hundred thousand Kosovars were driven from their homes during the conflict.¹²⁶

¹²³ Kelly M. Greenhill, *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy*, 141.

¹²⁴ *Ibid.*, 148.

¹²⁵ Robert J. Art and Patrick M. Cronin, *The United States and Coercive Diplomacy*, (Washington: United States Institute of Peace, 2003) 95.

¹²⁶ Kelly M. Greenhill, *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy*, 132.

Germany's and Italy's fears of a refugee crisis in their countries did not begin with the NATO-Kosovo war. Germans had recent experience with large numbers of refugees when it took in more than three hundred and fifty thousand Bosnians refugees during the Bosnian War from 1992 to 1995. The German government wanted to prevent a similar refugee crisis. In the event this was inevitable, Germany wanted to ensure that other European countries did their part to assist. As the likelihood of NATO intervention in Kosovo increased, so did the fear that Germany might once again take the brunt of another large influx of refugees.¹²⁷

As for Italy, the government dealt with a refugee crisis in 1997, when Albania spiralled into civil unrest and violence after the collapse of its financial system led to the removal of its democratic government. In its place, a socialist party came to power. Because of the violence and the rise of the socialists, more than ten thousand Albanians fled to safety in Italy. They did not receive a warm and welcome reception, as Italian newspapers referred to their arrival as an invasion.¹²⁸

In the months leading up to the NATO campaign against Serbia, similar fears of a refugee invasion and its subsequent drain on the resources and services of the Italian government surfaced. Just as they had in Germany, the people's fear translated into political fear. The Italian Prime Minister, Massimo D'Alema, met with President Clinton to discuss his concerns over Italy receiving the brunt of the potential refugee crisis. He feared a NATO bombing of Kosovo might cause three hundred thousand to four hundred thousand refugees to wind up within Italia's border.¹²⁹

¹²⁷ Ibid., 143.

¹²⁸ Ibid., 144.

¹²⁹ Elain Sciolino and Ethan Bronner, "Crisis in the Balkans: The Road to War -- A special report.; How a President, Distracted by Scandal, Entered Balkan War," *The New York Times*, April 18, 1999; under "crisis in the Balkans the road to war," <http://www.nytimes.com/1999/04/18/world/crisis-balkans-road-war-special-report-president-distracted-scandal-entered.html?pagewanted=1> (accessed June 27, 2010).

Germany and Italy were not the only countries to have fears over refugees and immigrants. The same was true for Greece that shared a border with Albania. The Greek government believed that a likely escape route from the conflict in Kosovo would lead refugees south into Greece. To compound their fears, some were afraid that a mass of Albanian refugees – who were Muslim – would create tensions in the predominately-Greek Orthodox society. Greece's population and government believed that the effects of the NATO-Kosovo conflict could not be confined within the borders of Kosovo. Instead, it had the potential to spread south through the Balkans and potentially threaten the stability of a NATO ally, Greece.¹³⁰

Prior to the Kosovo conflict, there existed a strong anti-refugee and anti-immigrant sentiment amongst the Greek population.¹³¹ In April 1999, just two weeks after NATO started the bombing campaign, the Greek Ambassador to France, Elias Clis, echoed some of this anti-refugee sentiment. "In the current dramatic turn of events, while doing our best to help our neighbors face the tragic plight of Kosovar refugees, we still hope that a peaceful way might be found to ensure their return to their homes."¹³² Clis' statement was an appeal toward other countries to do their part to receive, care for and assist these refugees. His statement supported the Greek population's anti-refugee and anti-immigrant sentiment of the time. Furthermore, Clis seems to have been saying what was on the minds of many Greeks at the time. That is, that Greece was willing to do all it could to help the plight of Kosovars forced from their homes as a result of the conflict, with the exception of letting them into Greece.

¹³⁰ Josephy Fitchett, "The Silent Issue: Greater Albania : New Concern Over a Surge in Nationalism," *The New York Times*, April 6, 1999, under "The Silent Issue: Greater Albania : New Concern Over a Surge in Nationalism," <http://www.nytimes.com/1999/04/06/news/06iht-assessx7F.2.t.html?pagewanted=1> (accessed, 27 June, 2010).

¹³¹ Katerina Linos, "Understanding Greek Immigration Policy;" in *New Approaches to Balkan Studies*, ed. Dimitris Keridis, Ellen Elias-Bursac and Nicholas Yatromanolakis (Virginia: Brassey's Inc., 2003), 30.

¹³² Elias Clis, "Greece and Kosovo : Letters to the Editor," *The New York Times*, April 14, 1999, under "Elias Clis Greece and Kosovo," http://www.nytimes.com/1999/04/14/opinion/14iht-edlet.2.t_30.html (accessed July 10, 2010).

Implications for the military planner

Refugees are often the victim of conflict, governmental persecution, or violence designed to drive them out of their country of origin. This was the case in Rwanda. The conflict and genocide created more than two million refugees. Before the war ended, it inflamed ethnic tensions in surrounding countries, sparked more fighting and led to additional refugee flows. This was also the case in Poland after the Second World War. By 1947, Poles forcibly expelled approximately three million Germans. They were piled onto rail cars, forced to leave many of their belongings behind and sent west toward uncertainty.

Refugees may also be the unwelcomed victims of a government and society that does not want them once they finally reach a safe environment. There may be little in the way of preparations or programs to assist with their transition. This was the case for the *Pieds Noirs*. They were victims of poorly planned and under-resourced assistance programs. These programs were supposed to aid in their transition from Algeria to France. In the case of the *Pieds Noirs*, and many others like them, they were resentful and this affected their relationships with other people for many years.

In order to address refugee victimization, the military planner must first consider adequate medical resources. There is likely to be a high number of physical and psychological injuries amongst a refugee population. Any plan that deals with refugees must provide medical services in a way that accounts for the refugee's social and cultural norms. Some of these resources will come from private, international or non-governmental organizations. Their efforts must be coordinated and synchronized. A Civil-Military Operations Center will be crucial to ensure this occurs. The military planner must not assume that this coordination and synchronization will occur automatically amongst the numerous organizations assisting refugee populations. The Civil-Military Operation Center is the mechanism for these organizations to develop working relationships and to establish procedures for how they will operate.

The greater challenge to the military planner, with regard to victimization, is taking preventative steps to ensure refugees are not victims of a host nation population, government, or lack of proper aid to assist in their transition. The Civil-Military Operations Center will help from an operational standpoint. The efforts of the military, host nation, international, private and non-governmental organizations can be coordinated and synchronized to identify shortfalls and ensure unity of effort. These efforts must be connected to a feasible long-term solution for the refugees. Uncoordinated efforts by multiple organizations working toward different outcomes will only create greater problems and competition. The military planner must consider this problem juxtaposed against a public's fear of refugees, and the nervous public's ability to influence political leaders.

A massive influx of refugees can feel threatening. This was the case in Germany and Italy in the months leading up to the NATO-Kosovo war. It was also the case in America with Haitian refugees. In each of these instances, the public feared that large numbers of refugees would bring crime, disease and security problems for their country. They also feared the refugees would consume large amounts of government resources and aid. The public's fear influenced political leaders, resulting in anti-refugee rhetoric and policies.

Military planners must conduct a thorough analysis of the operational environment in order to identify the possibility of refugee fears. This must include an analysis of the refugee population and the host nation population, while considering societal and cultural differences between the two. A thorough analysis can provide insight to potential tensions that lead to refugee fear. With this analysis, planners must anticipate likely reactions by the host nation's public and political leaders. This can provide the impetus for an information engagement plan to counter the public's fears before they become a significant factor. It will also provide a framework for leader engagements. The senior commander can address the effects of refugee fears with political leaders prior to their having an impact on refugee operations.

Conclusion

The events that led to the refugee crisis in Uzbekistan began on April 7, 2010. Governmental opposition groups within Kyrgyzstan orchestrated massive protests across the country. Police clashed with protesters, several hundred people were injured, a state of emergency was issued and within forty-eight hours the president fled the country and a new interim-government was in power.¹³³ As these events unfolded, ethnic tensions between Kyrgyzs and Uzbeks ignited and led to the fighting that caused hundreds of thousands of people to leave their homes and seek safety elsewhere. Many Uzbeks, like Rano Turdebayeva, fled the fighting for safety across the border into Uzbekistan. By the end of June, 2010, over ninety thousand refugees crossed the border into Uzbekistan, stayed several weeks in hastily constructed refugee camps and then voluntarily returned home to Kyrgyzstan.¹³⁴ This particular case illustrates the role of each factor discussed in this paper and how they affect refugee situations.

The first critical factor that affects refugee situations is refugee law. Uzbekistan is a party to the *Fourth Geneva Convention* regarding the protection of civilians during conflict.¹³⁵ However, it is not a party to the *1951 Convention Relating to the Status of Refugees* or *1967 Protocol Relating to the Status of Refugees*. This is important, as it obligated the Government of Uzbekistan to protect the Kyrgyzstan civilians fleeing the conflict but did not obligate them to either assist the United Nations High Commissioner for Refugees or adhere to any of the provisions outlined in the convention. Government representatives went to the refugee camps and encouraged them to leave while the security situation in Kyrgyzstan was still suspect. This act

¹³³ Rayhan Demytrie, "Fresh ethnic clashes his Kyrgyz southern city of Osh," *British Broadcasting Corporation*, June 11, 2010, under "ethnic clashes Osh," <http://www.bbc.co.uk/news/10296635> (accessed August 20, 2010).

¹³⁴ United Nations, "Final Report on the UNHCR Emergency Operations in the Republic of Uzbekistan."

¹³⁵ To access an all inclusive list of states that are party to the Fourth Geneva Convention go to http://www.icrc.org/web/eng/siteeng0.nsf/html/party_main_treaties.

appeared to walk the line of expulsion, which the 1951 Convention prohibits in article thirty-three. Not being a party to the convention meant there was no requirement to adhere to any of the provisions and little the United Nations could do to stop them.

Military planners must understand the appropriate refugee laws relative to where the refugee operation occurs. Judge advocate general officers will be critical for understanding the nuances of these laws and their applicability to military operations. The operation must account for the refugee rights and protections outlined in these documents. There is a moral obligation to protect civilians, to include refugees, during conflict and ensure their welfare. There is also a legal obligation that the United States must uphold. The United States, as a party to the Fourth Geneva Convention and the 1967 Protocol, has agreed to adhere to the provisions outlined in these international documents.

The second critical factor that can affect refugee situations is the United Nations High Commissioner for Refugees. The Government of Uzbekistan requested their assistance on June 14, 2010.¹³⁶ Within a couple of days, the United Nations dispatched an emergency response team to assess the situation, begin working with the government and report to their main headquarters. They experienced some initial success. They flew in over two hundred tons of aid for the growing refugee population mostly consisting of badly needed non-food items such as tents, bedding, and medicines. The emergency response team assisted in the distribution of the supplies. However, the Government of Uzbekistan remained the overall lead in running the refugee camps.¹³⁷

The military planner must understand the role of the United Nations High Commissioner for Refugees, what they are likely to do in refugee situations and their limitations. They have been involved with refugee crisis for the past sixty years and are likely to be involved with future

¹³⁶ The Government of the Republic of Uzbekistan is not a party to the 1951 Convention Relating to the Status of Refugees or the 1967 Protocol Relating to the Status of Refugees.

¹³⁷ United Nations, "Final Report on the UNHCR Emergency Operations in the Republic of Uzbekistan."

refugee situations, to include ones that involve the military. Despite their experience, they do have limitations. Their workers often come with very diverse backgrounds and varying degrees of experience. Additionally, they often deploy in small teams in comparison to the large number of people and equipment the military will deploy to a refugee crisis. Because of this, the military should expect to conduct the bulk of relief operations until such a time as the United Nations, or other competent organization, is capable of taking over. This transfer of authority will require a significant planning effort to ensure a smooth transition without the degradation of on-going refugee operations. The Civil Military Operations Center will be critical in setting the right conditions for this transfer as well as, ensuring all operations between the military, international and private organizations are properly coordinated and synchronized.

The third critical factor is the media's effect on refugee situations. The conflict in Kyrgyzstan, as well as the refugee crisis in Uzbekistan, featured prominently in the media. Numerous domestic and international twenty-four hour news agencies featured stories on the violence and plight of refugees fleeing Kyrgyzstan. Additional stories, images and videos were easily obtainable through the internet. Coverage dropped sharply on April 20, 2010, when the story in Kyrgyzstan was over-shadowed by an environmental crisis in the United States. On the evening of April 20, the offshore oilrig, Deepwater Horizon, exploded killing eleven workers. In the weeks and months following the explosion, it led to one of the world's most devastating and widely covered environmental disasters. Reports on the explosion, images of oil slicks appearing on the ocean surface and live coverage of the underwater attempts to stop the leaking oil consumed the media. Reports on the violence in Kyrgyzstan and the plight of refugees continued to trickle in. However, the evolving environmental crisis in the Gulf of Mexico quickly dominated the media and captured the attention of the American public.

Any refugee related operation must take into consideration the media's ability to reach and influence a wide range of viewers. Planners should incorporate the expertise of public affairs officers to develop information engagement plans. Together, they must develop appropriate

messages, decide on the medium to use and identify their intended audience. The plan should include the media, to the greatest extent possible, as opposed to excluding them. They have the capability to reach a large number of people and the power to influence a great many by the information and images they present. If utilized properly, they are a tremendous asset for any refugee operation.

The fourth critical factor affecting refugee situations is the long-term solution – repatriation, resettlement or integration. At the time this paper was written, the degree of coordination between the governments of Uzbekistan and Kyrgyzstan on a solution to the refugee problem is unclear. What is certain is that they both espoused repatriation as the long-term solution. Both governments pressured refugees into voluntarily returning to Kyrgyzstan. Kyrgyz and Uzbek officials visited camps and warned that if they did not return quickly, the alternative was to remain a refugee in the camps for a long time.¹³⁸ What is more, their efforts appeared to be successful. By the end of June, the Government of Uzbekistan reported that less than one thousand refugees remained within the country.¹³⁹ The question of whether or not repatriation was the best solution will take some time and analysis. The degree of security and stability in Kyrgyzstan was suspect as refugees started leaving the camps for their homes. What is more, there were no programs or assistance offered by the Kyrgyzstan Government to assist in their return and re-integration into Kyrgyzstan society.

The long-term solutions are the endstate conditions for any military operation involving refugee populations. The military planner must ensure the feasibility of these long-term solutions and ensure all efforts are coordinated and synchronized toward achieving these goals. The military planner must consider the feasibility of either repatriation, resettlement, or integration,

¹³⁸ Andrew E. Kramer and Matthew Saltmarsh, “Return of Refugees to Kyrgyzstan Disrupts Relief Effort.”

¹³⁹ United Nations, “Final Report on the UNHCR Emergency Operations in the Republic of Uzbekistan.”

while taking into account the environment and strategic guidance. After this analysis, the planner can develop a campaign focused on achieving the long-term solution. The military will not be alone in this effort. International and private organizations, as well as other militaries and possibly foreign governments, will likely be involved. This multi-organizational effort will require careful coordination and synchronization. The military is well suited to ensure this happens through the Civil Military Operations Center. This organization will be critical to ensure all efforts are coordinated and synchronized toward achieving the same goal.

The fifth factor that affects refugee situations is refugee victimization. Refugees may be victims of conflict, governmental persecution or violence. They may also be victims of under resourced and ill-planned programs to assist in their return and integration into society. This was the case for the Uzbek refugees. The number of civilians killed and amount of property damage Uzbeks suffered at the hands of Kyrgyzs is still in question. There is little doubt that the Uzbeks believed that their lives were in danger as evidenced by the ninety thousand that decided to flee to Uzbekistan. There were consistent reports of massive arrests, beatings and torture by the Kyrgyz dominated police forces as well as several deaths and homes burned in Osh.¹⁴⁰ Uzbek officials as well as United Nations workers reported that many refugees suffered physical injuries. They received treatment in the camps until the day they left. There was little in the way of aid or governmental programs to assist in their return or to compensate them for any losses they incurred. Just like Rano Turdebayeva, when they returned, they had to make the best of the situation, find some place to live and try to reestablish some degree of normalcy.

Medical aid will be critical for any military force that responds to a refugee crisis. Military planners must account for adequate medical resources to treat the physical and psychological needs of the refugees. Additionally, they must ensure that it is done in a way that

¹⁴⁰ Simon Shuster, "Signs of Uzbek Persecution Rising in Kyrgyzstan," *Time*, August 1, 2010; <http://www.time.com/time/world/article/0,8599,2007709-1,00.html#ixzz0xGkn7VH1> (accessed September 5, 2010).

does not violate their cultural or religious norms. Some of these medical resources are likely to come from private, international or non-governmental organizations. These efforts must be coordinated and synchronized through the Civil Military Operations Center. The Civil-Military Operations Center will also serve as a means to ensure all efforts focused on the long-term solution – repatriation, resettlement or integration – are effectively planned and resourced. Similar to the medical effort, host nation government and military forces, as well as, international, private and non-governmental organizations may be involved. The efforts of these different organizations must be coordinated and synchronized to lessen the chance that the refugees fall victim to a poorly planned and under-resourced program to integrate them back into society.

The final factor that can affect refugee situations is refugee fear. On June 15, 2010, the Government of Uzbekistan closed its borders to refugees fleeing the violence in Kyrgyzstan. Their stated reason for closing the border was they no longer had the room or the capacity to house any more refugees. There is some speculation as to the validity of this reason. Uzbekistan is known for a strong, corrupt, and at times, repressive central government under the current president, Islom Karimov. The Government of Uzbekistan has taken forceful measures in the past to eliminate any forms of opposition.¹⁴¹ Some news agencies reported that the government viewed the refugees as a potential security threat and decided to take action. First, they pressured the Government of Kyrgyzstan to persuade the refugees in Uzbekistan to return as quickly as possible while they did the same. The second decision they made to deal with the potential security threat was to close their border.¹⁴²

¹⁴¹ On May 13, 2005, Uzbek Interior Ministry and National Security Services troops fired on protestors in the city of Andigan. As few as one hundred and eighty and as many as five thousand people were reported killed in the incident.

¹⁴² Ilan Greeberg, "Between Uzbekistan and a Hard Place," *Foreign Policy*, August 10, 2010, http://www.foreignpolicy.com/articles/2010/08/10/between_uzbekistan_and_a_hard_place?page=0,0 (accessed September 4, 2010).

Military planners must ensure the operational environment is analyzed prior to any military operation. In addition to threats to the military force, effects of the physical environment on operations, the population and government must be assessed for the likelihood of refugee fears. Historical research, cultural studies and social demographics can provide some insight as to possible tensions between the refugee population and the host nation. This analysis will help to develop an information engagement plan to counter public and governmental fears before they become a significant impediment. This analysis will also assist in developing a plan for leader engagements. The commander can interact with political leaders, members of government and local leaders to address their fears or the populations. Together, these actions will be critical to lessening the spread, and the impact, of refugee fear on operations.

The military has been involved with refugees in the past and the prospects of future involvement remain high. Inter and intra-state conflict has always existed and will continue into the future. In turn, the conditions that create refugees – conflict, violence and governmental persecution – will continue to force people to leave their homes, cross an international border and seek safety in another country. Humanitarian intervention alone, during the past twenty years, has shown that it is seldom enough to deal with the conditions that produce refugees. More severe interventions, such as the deployment of military forces, may be necessary to stop the violence, protect the people and stabilize the environment so they can return home.¹⁴³ For this reason, military planners must understand the affects of the critical factors influencing refugee situations. An understanding of their impact will ensure planners are able to produce effective concepts for resolving refugee displacement and efforts toward stabilizing the affected region as quickly as possible.

¹⁴³ Gil Loesher, “Refugees as grounds for international action, in *Refugees and Forced Displacement: International Security*,” 32.

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